JUL 1985

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ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

ORIGINAL

HEARINGS

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS AND NATIONAL PARKS

COMPLETED
743

OF THE

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
HOUSE OF REPRESENTATIVES

NINETY-EIGHTH CONGRESS

SECOND SESSION

MAY 10, 1984

H.R. 5426 and H.R. 5470

TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF COLORADO FOR INCLUSION IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM, AND FOR OTHER PURPOSES

JUNE 7, 1984

S. 837

TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF WASHINGTON FOR INCLUSION IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM, AND FOR OTHER PURPOSES

AUGUST 6, 1984

H.R. 4932

TO WITHDRAW AND PRESERVE FOR THE DEPARTMENT OF THE AIR FORCE CERTAIN PUBLIC LANDS WITHIN THE NELLIS AIR FORCE RANGE, WITHIN CLARK, NYE, AND LINCOLN COUNTIES, NEVADA FOR USE AS A TRAINING AND WEAPONS TESTING AREA, AND FOR OTHER PURPOSES

SEPTEMBER 27, 1984

H.R. 5965

TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF MISSISSIPPI AS WILDERNESS, AND FOR OTHER PURPOSES, AND GEORGIA WILDERNESS PROPOSALS

HEARINGS HELD IN WASHINGTON, DC

Serial No. 98-3

PART XI

Printed for the use of the Committee on Interior and Insular Affairs

ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

HEARINGS

BEFORE THE

SUBCOMMITTEE ON
PUBLIC LANDS AND NATIONAL PARKS

OF THE

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PART XI

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I

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MISSISSIPPI NATIONAL FOREST WILDERNESS ACT OF 1984

GEORGIA WILDERNESS PROPOSALS

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ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Colorado Wilderness Proposals

THURSDAY, MAY 10, 1984

House of Representatives,
Subcommittee on Public Lands and National Parks,
Committee on Interior and Insular Affairs,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 1324, Longworth House Office Building, Hon. John F. Seiberling (chairman of the subcommittee) presiding.

Mr. Seiberling. The Subcommittee on Public Lands and National Parks will please come to order.

The matter before us is a hearing on H.R. 5426 and H.R. 5470, both dealing with Colorado wilderness; one introduced by our colleague on the committee, Hon. Ray Kogovsek, the other introduced by our distinguished colleague Hon. Tim Wirth, both of Colorado.

I am not going to make any preliminary remarks. Does anybody have any preliminary remarks? Mr. Craig?

Mr. Craig. Mr. Chairman, I have no preliminary remarks, only a comment out of frustration. I thought we had been around this track and solved the problems of Colorado a year or so ago?

Mr. Seiberling. They are never solved. This is a new issue.

Mr. Craig. So I am learning, Mr. Chairman, so I am learning. Thank you.

Mr. Seiberling. All right. Mr. Kogovsek?

Mr. Kogovsek. Mr. Chairman, I have no prepared remarks. I would tell my colleague, the gentleman from Idaho, that we didn't quite solve the problems back in 1980, we came close.

Mr. Chairman, I would just say that while the 1980 bill that passed out of your subcommittee and out of the full committee went a long way toward addressing all of our wilderness problems, mainly on the western slope of Colorado, we did set aside 12 areas for further study, that we as a subcommittee were not ready to address at that time; and 6 areas of further planning that the Forest Service was not ready to address.

It is those areas that we are addressing this year, Mr. Craig. I think that the kind of give-and-take that we had last year will be indicative of what we have to look forward to in the next couple of weeks. I think we can come up with a compromise bill that will satisfy, hopefully, most of the people on the western slope of Colorado and in the whole State of Colorado.

I would just indicate that as far as I am concerned, Mr. Chairman, the Third District of Colorado is the most beautiful district in the United States. You have helped us to preserve that beauty in the past. I think the bill that comes out of your subcommittee in the next couple of weeks will in fact further that effort. I thank you for your efforts in the past.

Mr. SEIBERLING. I wish to commend both of our colleagues for attempting to resolve the uncertainties that exist because of the further planning and further study areas. I agree that western Colorado is certainly one of the most beautiful places in the world. And on that note, I think it is a good time to start the hearing. We will hear from our colleague Mr. Wirth.

This would also be an appropriate place in the hearing record to print copies of the two bills on which we are holding these hearings. Hearing no objection, so ordered.

[The bills, H.R. 5426 and H.R. 5470, follow:]

98TH CONGRESS
2D SESSION

H. R. 5426

To designate certain National Forest System Lands in the State of Colorado for inclusion in the National Wilderness Preservation System, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 11, 1984

Mr. KOGOVSEK introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

---

A BILL

To designate certain National Forest System Lands in the State of Colorado for inclusion in the National Wilderness Preservation System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 102(a) of the Act of December 22, 1980 (94 Stat. 3265), is amended by inserting the following new subparagraphs:

"(21) certain lands in the San Isabel National Forest, Colorado, which comprise approximately twenty-six thousand two hundred and forty acres, as generally depicted on a map entitled 'Greenhorn Mountain Wilderness Proposal', dated April 10, 1984;

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"(22) certain lands in the San Isabel National Forest, Colorado, which comprise approximately sixteen thousand acres, as generally depicted on a map entitled 'Spanish Peaks (Huajatolla) Wilderness Proposal', dated April 10, 1984;

"(23) certain lands in the San Juan National Forest, Colorado, which comprise approximately thirty thousand seven hundred and twenty acres, as generally depicted on a map entitled 'West Needle Wilderness Proposal', dated April 10, 1984;

'(24) certain lands in the San Juan National Forest, Colorado, which comprise approximately thirty-eight thousand five hundred acres, as generally depicted on a map entitled 'Piedra Wilderness Proposal', dated April 10, 1984;

"(25) certain lands in the San Isabel National Forest, Colorado, which comprise approximately two hundred and five thousand six hundred and forty-three acres, as generally depicted on a map entitled 'Sangre de Cristo Wilderness Proposal', dated April 10, 1984;

"(26) certain lands in the Gunnison National Forest, Colorado, which comprise approximately five thousand five hundred acres, as generally depicted on a map entitled 'Oh-Be-Joyful Wilderness Proposal', dated April 10, 1984;

"(27) certain lands in the White River National Forest, which comprise approximately eight thousand acres, as generally depicted on a map entitled 'Spruce Creek Wilderness Proposal', dated April 10, 1984;

"(28) certain lands in the Routt National Forest, which comprise approximately forty-one thousand eight hundred and eighty acres, as generally depicted on a map entitled 'Sarvice Creek Wilderness Proposal', dated April 10, 1984;".

SEC. 2. Section 105 of the Act of December 22, 1980, (94 Stat. 3268) is repealed.

SEC. 3. Section 106 of the Act of December 22, 1980, (94 Stat. 3270) is repealed.

SEC. 4. Section 102(a)(9) of the Act of December 22, 1980 (94 Stat. 3266), is amended by striking the words "November 26, 1980" and inserting in lieu thereof, "April 10, 1984".

SEC. 5. Section 3 of the Act of December 12, 1975 (Public Law 94-146), is amended by deleting the Trappers Lake Boathouse from the Flattops Wilderness boundary in accordance with the map entitled "Trappers Lake Boathouse—Flattops Wilderness", dated April 10, 1984.

SEC. 6. As soon as practicable after this Act takes effect the Secretary of Agriculture shall file the maps referred to in this Act and legal descriptions of each wilderness area designated by this Act with the Committee on Interior and Insular Affairs, House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act and the Act of December 22, 1980 (94 Stat. 3265): *Provided, however,* That corrections of clerical and typographical errors in such legal descriptions and maps be made. Each such map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, Department of Agriculture.

I

98TH CONGRESS
2D SESSION

H. R. 5470

To designate certain additional national forest lands in the State of Colorado as components of the National Wilderness Preservation System.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 1984

Mr. WIRTH introduced the following bill; which was referred to the Committee on Interior and Insular Affairs

---

A BILL

To designate certain additional national forest lands in the State of Colorado as components of the National Wilderness Preservation System.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Colorado Wilderness Act of 1984".

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act of 1964 (78 Stat. 892), and subject to the provisions of the Colorado Wilderness Act of 1980 (94 Stat. 3265), except as provided specifically in this Act, the following lands in the State of Colorado are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) the Service Creek Wilderness Area, consisting of approximately fifty thousand five hundred and forty acres in the Routt National Forest, as generally depicted on a map entitled "Service Creek Wilderness Proposal", dated November 1983;

(2) the Buffalo Peaks Wilderness Area, consisting of approximately fifty-seven thousand four hundred and thirty acres in the Pike-San Isabel National Forests, as generally depicted on a map entitled "Buffalo Peaks Wilderness Proposal", dated November 1983;

(3) the Cannibal Plateau Wilderness Area, consisting of approximately sixty-three thousand seven hundred acres in the Uncompaghre National Forest, as generally depicted on a map entitled "Cannibal Plateau Wilderness Proposal", dated November 1983;

(4) certain lands adjacent to the Mount Zirkel Wilderness Area, consisting of approximately twenty-two thousand three hundred and forty acres in the Routt National Forest, as generally depicted on a map entitled "Davis Peak Wilderness Proposal", dated November 1983, which are hereby incorporated in and shall be deemed to be a part of the Mount Zirkel Wilderness Area as designated by Public Law 88-577;

(5) the Fossil Ridge Wilderness Area, consisting of approximately fifty-five thousand five hundred and sixty acres in the Gunnison National Forest, as generally depicted on a map entitled "Fossil Ridge Wilderness Proposal", dated November 1983;

(6) the Greenhorn Mountain Wilderness Area, consisting of approximately twenty-two thousand three hundred and sixty acres in the San Isabel National Forest, as generally depicted on a map entitled "Greenhorn Mountain Wilderness Proposal", dated November 1983;

(7) certain lands adjacent to the Lost Creek Wilderness Area, consisting of approximately eleven thousand acres in the Pike National Forest, as generally depicted on a map entitled "Lost Creek Wilderness Proposal", dated November 1983, which are hereby incorporated in and shall be deemed to be a part of the Lost Creek Wilderness Area as designated by Public Law 96–560;

(8) certain lands adjacent to the Raggeds Wilderness Area, consisting of five thousand five hundred acres in the Grand Mesa National Forest, as generally depicted on a map entitled "Oh Be Joyful Wilderness Proposal", dated November 1983, which are hereby incorporated in and shall be deemed to be a part of the

Raggeds Wilderness Area as designated by Public Law 96-560;

(9) the Piedra Wilderness Area, consisting of approximately forty-nine thousand one hundred and eighty acres in the San Juan National Forest, as generally depicted on a map entitled "Piedra Wilderness Proposal", dated November 1983;

(10) the St. Louis Peak Wilderness Area, consisting of approximately eleven thousand one hundred and sixty acres in the Arapahoe National Forest, as generally depicted on a map entitled "St. Louis Peak Wilderness Proposal", dated November 1983;

(11) the Vasquez Peak Wilderness Area, consisting of approximately thirteen thousand acres in the Arapahoe National Forest, as generally depicted on a map entitled "Vasquez Peak Wilderness Proposal", dated November 1983;

(12) the Sangre de Cristo Wilderness Area, consisting of approximately two hundred and forty-eight thousand acres in the San Isabel National Forest, as generally depicted on a map entitled "Sangre de Cristo Wilderness Proposal", dated November 1983;

(13) certain lands adjacent to the South San Juan Wilderness Area, consisting of approximately thirty-two thousand eight hundred acres in the San Juan Na-

tional Forest, as generally depicted on a map entitled "South San Juan Wilderness Expansion Proposal", dated November 1983, which are hereby incorporated in and shall be deemed to be a part of the South San Juan Wilderness Area as designated by Public Law 96-560;

(14) the Spanish Peaks Wilderness Area, consisting of approximately nineteen thousand two hundred and fifty acres in the San Isabel National Forest, as generally depicted on a map entitled "Spanish Peaks Wilderness Proposal", dated November 1983;

(15) certain lands adjacent to the Hunter-Fryingpan Wilderness Area, consisting of approximately eight thousand acres in the White River National Forest, as generally depicted on a map entitled "Spruce Creek Wilderness Proposal", dated November 1983, which are incorporated in and shall be deemed to be a part of the Hunter-Fryingpan Wilderness Area as designated by Public Law 95-237;

(16) certain lands adjacent to and near the Weminuche Wilderness Area, consisting of approximately thirty-three thousand acres in the San Juan National Forest, as generally depicted on a map entitled "West Needless and Weminuche Wilderness Expansion Proposal", dated November 1983, which are incorporated

in and shall be deemed to be a part of the Weminuche Wilderness Area as designated by Public Law 93–632;

(17) the Wheeler Geologic Wilderness Area, consisting of approximately twenty-nine thousand three hundred and fifty acres in the Rio Grande National Forest, as generally depicted on a map entitled "Wheeler Geologic Wilderness Proposal", dated November 1983; and

(18) certain lands adjacent to the Big Blue Wilderness Area, consisting of approximately one thousand five hundred and five acres in the Bureau of Land Management Gunnison Basin Resource Area, as generally depicted on a map entitled "American Flats Wilderness Proposal", dated November 1983, which are hereby incorporated in and shall be deemed to be a part of the Big Blue Wilderness Area as designated by Public Law 96–560.

(b) The lands depicted on the map referred to in subsection (a)(18) which are within the jurisdiction of the Secretary of the Interior and managed through the Bureau of Land Management are hereby transferred to the Secretary of Agriculture and incorporated in and deemed to be a part of the Uncompahgre National Forest.

(c) As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file the maps referred to in

Subsection (a) and legal descriptions of each wilderness area designated by subsection (a) with the Committee on Energy and Natural Resources, United States Senate, and the Committee on Interior and Insular Affairs, U.S. House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act: *Provided, however,* That correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(d) Subject to valid existing rights, each wilderness area designated by this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act of 1964 (78 Stat. 892) governing areas designated by that Act as Wilderness areas, except that, with respect to any area designated in this Act, any reference in such provisions to the effective date of the Wilderness Act of 1964 shall be deemed to be a reference to the effective date of this Act.

SEC. 3. Subject to valid existing rights, the Williams Fork Further Planning Area, Arapaho National Forest, shall be managed by the Secretary of Agriculture to maintain its presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System: *Pro-*

vided, That no right, or claim of right, to the diversion and use of water from such area by the Board of Water Commissioners of the City and County of Denver shall be prejudiced, diminished, altered, or affected by this section, and this section shall not be construed to impair, impede, or interfere with the exercise of such rights, including the exercise of such rights in a manner affecting the area's presently existing wilderness character and potential for inclusion in the National Wilderness Preservation System.

[**Editor's note.**—Prepared statements of Hon. Timothy Wirth and Gary Hart may be found in appendix I.]

STATEMENT OF HON. TIMOTHY E. WIRTH, A U.S. REPRESENTATIVE FROM THE STATE OF COLORADO

Mr. **Wirth**. Thank you very much, Mr. Chairman. I am delighted to be here and would like to have a full statement inserted, if I might, in the record.

Mr. **Seiberling**. Without objection, it will be included in full.

Mr. **Wirth**. Also, Senator Hart has a statement which he would like to have submitted for the record at this time as well.

Mr. **Seiberling**. That will also be included.

Mr. **Wirth**. I will be very brief as we have some kind of recorded vote going on across the street. Let me, if I might, Mr. Chairman, make a few opening points.

One, to concur with my distinguished colleague from Colorado, Congressman Kogovsek, I believe that we are very close to being able to work this out and can hammer out a bill to provide the kind of certainty that I think everybody in the State of Colorado wants.

Mr. Craig had asked if we had been around this track. Yes, we have, but we believe in Colorado in doing things in a very thorough and careful way. We resolved most of the issues in 1980. Those that were left up in the air have had a great deal of study and examination.

We will be submitting; and if I might have the record left open for this; an analysis of each one of the planning areas and each one of the proposed wilderness areas, Mr. Chairman—what the difference is, what the distinctions are, and we will provide those.

Mr. **Seiberling**. We will keep the record open for 10 days or so.

Mr. **Wirth**. Thank you, Mr. Chairman.

So that kind of certainty, I think we all would like to see, and I believe we can work this out.

We also want to do it now for two further reasons: One, forest plans are coming down the line; and as those forest plans occur—and Colorado happens to be further in front of the rest of the Nation in development of these forest plans for the national forest in the State—those will complicate the decisionmaking on wilderness.

A second reason, and perhaps the most important one, is that our distinguished colleague, Mr. Kogovsek, is not going to be with us after this year. He has an enormous well of knowledge about all of these areas and we want to take advantage of that while he is still here.

Finally, I would point out, I think that there are five principles in our discussions that we in the State would all agree upon: First, that we are not going to have any changes in the 1980 wilderness bill except for some very, very minor adjustments. There are no changes in that area.

Second, we are all concerned about encouraging as many diverse ecosystems in the State as possible.

Third, we want to make sure that there is the kind of balance that is characterized. Mr. Kogovsek's 1980 bill also characterizes the outcome of this. And I believe, as Mr. Kogovsek suggested, we are very close to agreement.

Fourth, we are recognizing the increasing recreation and tourism economic base for the State of Colorado and believe that that also can be preserved through this bill.

Finally, you recognize, Mr. Chairman, as we do, the extraordinary growth in population, and the extraordinary pressure on wilderness areas in the State. I think all of us know that we have to make investments for the future now, and this is the time to do it.

All of those principles are laid out in greater detail in my statement and in the statement of Senator Hart. You have for the rest of the day very distinguished panels of people who know an enormous amount of information on this subject. I am sure you will find among them complete unanimity on what ought to be included in the legislation.

I thank you, Mr. Chairman, and would be delighted to answer any questions which the subcommittee may have.

Mr. SEIBERLING. Thank you very much. We do have a couple of minutes here.

I notice that there is quite a difference in acreage as well as in the specific areas between the Kogovsek bill and the Wirth bill. And that means we are going to have to try to reconcile these two different approaches.

I take it that you are prepared to try to work out some middle ground, is that right?

Mr. WIRTH. Mr. Kogovsek and I have talked about this at great length in the past; and I have worked with your good counsel, Father Wiessner, on this as well. I believe, as Mr. Kogovsek said in his opening statement, that we can work it out. If you look at each one of the areas involved, the numbers appear to present a more difficult problem than in fact, it is, to work out a good piece of legislation.

Mr. SEIBERLING. I am not familiar with all of these areas, though I have been to some of them, like Oh-Be-Joyful Creek, where you are both identical; Sangre de Cristo, where you are fairly close, and some of the others, the South San Juan. I do feel there is a real treasure house here of marvelous wilderness areas. The Wheeler Geologic area is another one of tremendous value.

I would hope that we can protect as much as possible.

Mr. WIRTH. There are two or three areas, if I might, Mr. Chairman, that are very controversial and remain so. Almost all of the others, I think, are just a matter of a boundary change here and a boundary adjustment there. Areas that were not in Mr. Kogovsek's district that are on the eastern slope such as Buffalo Peaks and Lost Creek. If you add those, I don't think we have any great disagreements in general. You will hear more about that this morning from the city of Denver and the State of Colorado.

Mr. SEIBERLING. The original Colorado RARE II wilderness bill was the first of the wilderness bills that we passed under the RARE II Program, and it was a breakthrough. It was the first one to carry the House's release language into law, release language which has now been somewhat perfected but is basically the same in principle as our Colorado language.

So we feel very good about Colorado RARE II wilderness legislation and I think in the spirit of the original bill we can work it out in this one.

I want to thank you and Ray for your contributions so far.

Mr. WIRTH. Thank you. And I want to say we in the second district, also want to thank this subcommittee for the good work that was done, as you remember, in the late seventies, on Indian Peaks, which had been recommended by Teddy Roosevelt for protection 70 years before. It was accomplished through the efforts of you, Mr. Seiberling, Mr. Roncalio, and your counsel. We appreciate that. Thank you.

Mr. SEIBERLING. All right. We will take a recess for 10 minutes. Thank you.

AFTER RECESS

Mr. SEIBERLING. The subcommittee will please come to order.

Our next witness is Mr. Tom Gougeon, representing Mayor Federico Pena of Denver. Welcome Mr. Gougeon.

STATEMENT OF THOMAS A. GOUGEON, ON BEHALF OF HON. FEDERICO PENA, MAYOR OF DENVER, CO

Mr. GOUGEON. Thank you, Mr. Chairman.

I would just like to read from a brief prepared statement and then be glad to answer any questions.

Mr. SEIBERLING. All right.

Mr. GOUGEON. First of all, let me thank you for the opportunity to come here and comment on the wilderness legislation currently being considered by the House of Representatives.

Like many Western States, Colorado contains a large number of acres of public land. Nearly 40 percent of the State's land area is comprised of Federal land, and roughly 4 percent of the State's total land area is currently designated as wilderness. The majority of that land lies in the western and southwestern portions of the State.

Colorado's urban population has increased dramatically in recent years. Since the 1960's, Colorado's front range has experienced unprecedented levels of population growth. In the Denver area, the metropolitan population increased from 930,000 in 1960 to 1.6 million in 1980. By the year 2000, Denver is projected to be the home of 2.5 million people.

With these population increases have come increasing demands for all forms of recreation, particularly outdoor recreation. Available recreation areas that are easily accessible from Denver are subject to increasing usage. Last year, the Indian Peaks Wilderness Area and Rocky Mountain National Park, both located a short distance from Denver, received 150,000 and 2.7 million visitors respectively.

This summer a permit system will be instituted in the Indian Peaks area to deal with the large volume of visitors.

The addition of another 1 million residents to the metropolitan area by the year 2000 can be expected to further exacerbate that situation.

We in the city and county of Denver are concerned with the preservation of wilderness areas for two primary reasons. First, we have a strong desire to ensure that our half a million residents have a wide range of recreation opportunities available to them. Toward that end, we spend more than $20 million annually to provide parks and recreation activities in the city.

We also maintain approximately 15,000 acres of mountain parks scattered throughout adjacent mountain counties. These services and facilities, however, are not nearly enough to meet all of the recreation needs of Denver residents. Nor do they provide the same types of opportunities that wilderness areas provide. Therefore, we must rely in large part on public lands that are accessible from Denver to meet these needs.

Our primary concern is that sufficient land area be preserved as wilderness in locations capable of being readily accessed by Denver residents.

Our second concern is mainly economic. Recreation and tourism are major components of the State's economy. As the State's primary urban center, Denver serves as a gateway to the mountains for residents and visitors alike. It has been estimated that nearly 50 percent of all the dollars spent on hunting and fishing in the State of Colorado are spent in Denver.

Many segments of our city's economy depend directly or indirectly on the availability of recreation opportunities in the nearby mountains. Wilderness areas accessible from Denver do make a significant contribution to the Denver economy.

With these thoughts in mind, I would like to briefly discuss three potential wilderness areas which could help to meet the needs of residents of the Denver area.

The first is Buffalo Peaks, a roughly 57,000-acre area located southeast of Leadville, CO. This area consists mainly of subalpine meadows and timbered basins, and provides excellent opportunities for hiking, fishing, and hunting. The area is also one of the most productive bighorn sheep habitats with a herd ranging in size from 40 to 60 animals.

The second area is an 11,000 acre addition to the existing Lost Creek Wilderness Area. The existing Lost Creek Wilderness Area contains 106,000 acres and is an extremely popular area. The proposed addition will add extensive alpine meadows and significant wildlife habitat.

The third area is the St. Louis and Vasquez Peaks. This area of roughly 24,000 acres straddles the Continental Divide and contains high alpine peaks and spectacular vistas. The area is adjacent to the Winter Park ski area which is owned by the city and county of Denver. The Denver Water Department also owns land in this immediate area. Both entities support a wilderness designation. The St. Louis and Vasquez Peaks area is already heavily used by recreationists and is less than an hour and a half drive from Denver.

We are aware that concerns have been expressed about the potential impact of wilderness designation in this area on the nearby Henderson molybdenum mine, and believe these issues should be explored. It would be our hope that future operation of the mine and management of the St. Louis and Vasquez Peaks area as wilderness will not be found to incompatible.

The designation of these three areas as wilderness would provide an additional 92,000 acres of high quality wilderness in close proximity to the residents of Denver and its growing suburbs. These areas are necessary to meet the needs of present and future residents. We would urge you to include them in any wilderness proposal adopted by the Congress.

In addition, I would like to mention one other area which is not currently proposed for action, and that is the Williams Fork area. The Williams Fork area has been considered for future water development by the Denver Water Department and the one house proposal contemplates language that would require that that area be managed for wilderness in the interim until water decisions are made. The Denver Water Department and the city and county of Denver would support that language.

I appreciate your attention and would be glad to answer any questions you might have.

Mr. SEIBERLING. Thank you very much for your testimony. I think it is extremely valuable, even though it is brief because it tells us what people and economic needs will be served by the proposals in this bill.

Do you have any comment on the other proposals that are farther away from Denver?

Mr. GOUGEON. Not at this time. Our desire was to comment specifically on the areas that are most readily accessible to Denver, and the three I discussed are the three that really are the most accessible. We felt it was more appropriate for others to consider the merits of areas that are more remote from Denver.

Mr. SEIBERLING. I presume that even the more distant areas also contribute to Denver's economy because of its gateway character.

Mr. GOUGEON. They definitely do. I think the impact of the closer areas is probably more substantial but all of them, to the extent they are available for recreation opportunities, do in fact affect Denver. I think a strong wilderness system is important to the system.

Mr. SEIBERLING. All right, thank you.

Mr. Craig.

Mr. CRAIG. Thank you very much, Mr. Chairman. I, too, appreciate your testimony and your ability to attempt to look forward to the needs and demands of the area.

Under the current total number of acres of wilderness you have in metropolitan Denver growth projections for the population of the Denver area, we are already looking at a breakdown of about one acre per person.

What do you believe is a reasonable amount of acreage each State individual ought to have the opportunity of having in a wilderness system? Is that a figure you can possibly contemplate?

Mr. GOUGEON. To be honest, I am not sure that I am qualified to come up with a standard that would be based on——

Mr. CRAIG. Is there a standard that an urban area uses in its establishment of parks and recreation areas within an urban population base?

Mr. GOUGEON. There are nationally adopted standards both for urban parks, and I assume comparable figures for wilderness and open space. To give you an example, I think Denver is recognized as having one of the best urban park systems in the country.

Mr. **Craig**. Do you currently have an acre per person in the Denver area in your urban park and recreation system?

Mr. **Gougeon**. That I would have to check. I know I can tell you that even though we have one of the most extensive park systems by national standards, we are deficient, and deficient by a large number of acres just in our urban park system. I would assume that that same situation, and even more so, occurs using national standards in comparing them to wilderness. At this point there are really only three areas that are a reasonable day trip away from Denver.

Mr. **Craig**. When you mention the need for wilderness in a proximity close to the major metropolitan area, such as Denver, in the criteria that this committee utilizes for attempting to recognize wilderness areas, we attempt to recognize wilderness quality and the term "untrammeled by man." Yet, I hear from you a need for land so man can trammel, if you will.

Shouldn't Denver be recommending parks that are properly managed to handle the kind of human impact you are referring to instead of wilderness areas which are, by their very nature, fragile, and should be in part, if not in total, protected from man?

Mr. **Gougeon**. I guess what we are arguing is that the trammeling should be dispersed over a variety of areas rather than concentrated on a single area. I think the experience with Indian Peaks already indicates that——

Mr. **Craig**. That it should have been a park?

Mr. **Gougeon**. No, that I think it receives incredibly heavy usage because it is one of the few areas that provides a wilderness experience in close proximity to the major urban center.

I think if there were more opportunities that perhaps some of that impact could be dispersed—I think there is also the need—we operate a mountain park system ourselves, and those are not wilderness areas. They are in different states of development to provide specifically that kind of recreation. We continue to think that that will be important. But we think to the extent that we can preserve wilderness areas that are truly going to be wilderness, if we preserve only a nominal amount close to the population centers, those areas will be innundated in terms of usage.

Mr. **Craig**. Mr. Chairman, one last brief question.

You mentioned a need for water development for the greater metropolitan area of Denver and I believe the Williams Fork area.

Mr. **Gougeon**. Correct.

Mr. **Craig**. Would not people of the numbers you express concern about, in some way endanger the water quality of an area if it were utilized to the extent you mention? What about current utilization in some of those areas, and potential utilization, if that were to come about?

I have heard the Forest Service express from time to time, since we have established wildernesses nationwide and some that receive greater impact than others that there is now a concern growing inside the agency that we have directed and funneled people into rather small areas. This has happened, if you will, simply by the nature of the trail system and what they desire to see in these massive areas. Is it not possible we could damage a watershed or the water quality of an area by our effort to preserve it?

Mr. GOUGEON. In terms of our role as a supplier, we are not the exclusive supplier, but we are the major supplier of domestic water in the Denver area. Our water department has looked carefully at all the proposals statewide and they have no objection to any of the areas included in the bill that Mr. Wirth has introduced. So they don't see any conflicts in terms of development of water.

In terms of water quality, there may be specific instances where in fact the level of use could have an impact on water quality, I think it is possible.

Mr. CRAIG. Might have special designation or restriction in those particular areas?

Mr. GOUGEON. Correct. Although I don't know that that would—particularly given the level of treatment we apply to domestic water, I am not sure that it would affect our ability to supply water, but it may damage water quality in the area itself.

Mr. CRAIG. Fine. Thank you. Thank you very much, Mr. Chairman.

Mr. SEIBERLING. Of course, the kind of potential harm to a water supply area from the use of the watershed, if the use is simply campers, is something that is easily handled by virtue of the normal steps taken to eliminate bacteria from water. When you have operations which result in siltation or the deposition of large amounts of minerals, some of which may have toxic qualities, then you have quite a different problem.

I think that it has been our experience in this committee that cities that want to protect watersheds that are on the public lands, find that wilderness designation is the best way to do so. I know we have had that experience in the northwest and some other areas. So I just think the record needs to reveal that.

Mr. CRAIG. Mr. Chairman?

Mr. SEIBERLING. Yes.

Mr. CRAIG. Let me also have the record reveal the problem of the Seattle watershed as it relates to wilderness designation and a phenomenal organic and bacteria buildup. Simply because it was an area that was not properly managed and because it was wilderness, they had to take steps to cause a better quality of water as a result of that designation. I think that is documented history.

Mr. SEIBERLING. That may well be, except that I just don't think it is correct to indicate that the wilderness use by hikers and campers is any serious threat to water quality unless the use reaches mob proportions. At that point, the Forest Service or the managing agency would have to limit the visitor days of use.

But chlorine and other additives take care of bacteria. It is much more difficult to eliminate toxic minerals and that sort of thing.

I would also like to read into the record the definition from Webster's Seventh New Collegiate Dictionary of the verb trammel.

Mr. CRAIG. What edition is that and how old?

Mr. SEIBERLING. This is the Seventh New Collegiate Dictionary printed in 1970.

Mr. CRAIG. If it was printed after 1964, we have redefined that at least 100 times since then.

Mr. SEIBERLING. Let me just read it in anyway.

Mr. CRAIG. Thank you. [Laughter.]

Mr. SEIBERLING. "Trammel: 1. To catch or hold in or as if in a net, to enmesh. 2. To prevent or impede the free play of, to confine."

So I see nothing in here that indicates that "trammel" is a synonym for use. That use by people, as long as it doesn't impede or prevent the free play of the natural forces in the area, is not trammeling the area, so to speak. I just think that comes up so often we might as well get this right.

Mr. CRAIG. Mr. Chairman, I will not object to the broadening of the definition you have just given the word "trammel." Thank you. [Laughter.]

Mr. SEIBERLING. I just read it from the dictionary.

All right, Mr. Kogovsek.

Mr. KOGOVSEK. Thank you, Mr. Chairman.

Tom, thank you for your testimony this morning.

Let me ask you just a couple of questions. The gentleman from Idaho touched on the area of Williams Fork. It seems to be the only area that was not picked up and put into the Wirth bill by Mr. Wirth as far as the suggestions that have been made to us by the Forest Service.

Your position, Denver's position, on Williams Fork, should it be in wilderness or should it not be?

Mr. GOUGEON. I would say at this point there are enough questions that are up in the air but will potentially be resolved in a relatively short timeframe that it should not be included and yet at the same time, I think the language that will require that it be managed to preserve that option in the event that the water development plans do not include use of that area, we feel that it is appropriate to leave that option open. But there are obviously some questions pending about its future role in water development, and I don't think at this point anyone can say for certainty what will occur there.

Mr. KOGOVSEK. I would indicate to you that as you have very candidly said—Mr. Chairman, if I could have the attention of the committee—I was trying to make a point here that the only area that has not been picked up by Mr. Wirth, as far as suggestions from the Forest Service, is the Williams Fork area.

One of the reasons, basically, is that as Tom has indicated, that the city of Denver has some concerns that if that were put into wilderness that Denver could lose some of its future water supply. I think it is important to understand that there are a couple of other areas in the bill where other water districts throughout the States, water supply could be jeopardized.

I just want to make the point at this time that what is good for the goose, Mr. Chairman, is good for the gander—that if in fact we are going to pay attention to Denver's water supply and needs, and I think that we should, I think that just because there is a lesser, a smaller water district someplace on the western slope, whose water supply might be jeopardized that we are going to have to look at that.

As we get into specific areas of the bill, I would hope that you would be very sensitive to that request. I have felt for a long time that you should not use water to control the growth of any area.

Yet, sometimes when I see how fast some of our metropolitan areas are growing, by leaps and bounds, I wonder if in fact we are not missing the point by taking a look, at least studying the possibility, of seeing what is happening to one area of the State. And, of course, another good example is the Holy Cross Wilderness area where in the 1980 wilderness bill we put an exemption, so that we could in fact divert water in the future to Aurora and Colorado Springs.

I think that diversion has the potential of seriously harming the ecological system of the Holy Cross Wilderness Area. I don't know what is going to happen as far as Williams Fork is concerned, what kind of damage would we do if we take too much water out of that area.

The point is, Mr. Chairman, that this is one of the areas that I think we have to be very concerned about.

Mr. **Seiberling**. As the gentleman knows, at his request, a couple of years ago we held a hearing out in Vail on the problems of the Holy Cross diversion program, and one of the things that was brought out in that hearing was that there appeared to be a way of providing even better water sources by impoundments outside of the Holy Cross Wilderness.

The accusation was leveled subsequent to those hearings that the wilderness designation which reserved the right to put water impoundments in the Holy Cross Wilderness was being used to block the development. But the fact is the same concerns would have been expressed whether it was in wilderness or not in wilderness because all the people who like to fish those streams were the ones who were objecting to having them dried up, and were recommending that a different solution be used.

So those water conflicts are going to exist whether we put these areas in wilderness or not—the conflicts between uses—those who want to use the streams for fishing, those who want them for water impoundments, et cetera.

So I think about the only thing putting it in wilderness would do, would be to highlight the fact that the Forest Service should make a real effort, which I don't think they were doing in the Holy Cross case, along with the Corps of Engineers, to come up with a solution to that would provide the maximum protection for all the uses—and not destroy a fishing stream, for example, if you could develop your water resource in some other way.

Mr. **Kogovsek**. I concur with my chairman. I just wanted to not lose this opportunity to make the point that—and I want to make it perfectly clear that I am not recommending that we put Williams Fork into wilderness. But I am saying that if in fact we are protecting one area of the State, one vital area of the State, by leaving something out of wilderness for whatever reason, we have to make sure that when we are on the western slope of Colorado—and there are other areas of concern, whether it is mining, or timbering, or certain other areas, who are indicating to me, Mr. Chairman, that they don't want a certain area part of wilderness or they want the boundaries more sensitive, that we would be in fact sensitive to some of their requests.

The water district that I was referring to that could possibly be damaged by putting Service Creek, for instance, into wilderness,

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and we are looking at doing that in my bill, as a Colorado River Water Conservation District which thinks it has some conditional decrees that could be harmed.

Mr. **Seiberling**. All right, thank you very much.

Mr. **Gougeon**. Thank you, Mr. Chairman.

Mr. **Seiberling**. We will now hear from Mr. Raymond Housley, Deputy Chief of the Forest Service, U.S. Department of Agriculture.

Mr. Housley, welcome. It is a pleasure to see you again.

[Prepared statement of Hon. Raymond M. Housley may be found in appendix I.]

STATEMENT OF HON. RAYMOND M. HOUSLEY, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY STEVE LUDINGTON, GEOLOGIST, U.S. GEOLOGICAL SURVEY

Mr. **Housley**. Good morning, Mr. Chairman. We appreciate this opportunity to present the views of the Department of Agriculture on this important legislative proposal.

With your permission, I will skip the introductory parts of the prepared statement, which you have before you.

Mr. **Seiberling**. Yes, we will put the entire statement in the record. You may proceed.

Mr. **Housley**. I would like to begin with an update on the status of the wilderness studies which have been underway for the past 3 years or more. The wilderness study required by the Endangered American Wilderness Act for Spruce Creek was completed and forwarded to the Congress in September 1982. As a result of that study, the Spruce Creek area was recommended for wilderness designation and is included in both H.R. 5426 and H.R. 5470.

The wilderness studies required by Public Law 96-560, which were required to be done as part of the forest planning process for 11 roadless areas and for six RARE II further planning areas have not yet been fully completed.

It is our strong preference to be able to complete this planning before further consideration by the Congress of additional wilderness classifications in Colorado.

The Oh-Be-Joyful Wilderness study is very nearly complete. We expect it will be forwarded to the Congress within the next month.

Of the 16 other wilderness studies, all are being conducted as part of the forest planning process; 10 are included in final forest environmental impact statements, and 6 have been included in forest plan draft EIS's. For the latter, the final statement will be prepared in the next few months.

A final wilderness recommendation has been made only for Spruce Creek to date. Nevertheless, we want to be responsive to the committee's request for comments on H.R. 5426 and H.R. 5470, so we are offering our tentative evaluations of the areas in question.

We would emphasize, however, that these are only tentative determinations and until submitted to the Congress there may well be adjustments or changes.

Of the 12 wilderness studies required by Congress, all or parts of 6 areas have been found to be at least tentatively suitable for wilderness. Those study areas in this category are: Sangre de Cristo, Greenhorn Mountain, Piedra, West Needle, Vasquez Peak, and, again, Spruce Creek, for a total of 293,370 acres.

H.R. 5426 proposes five of these study areas for wilderness designation, and H.R. 5470 proposes wilderness designation of all six areas.

Three further planning areas have been tentatively identified as suitable for wilderness inclusion. These are the Cannibal Plateau, 13,600 acres; Davis Peak, and Service Creek, all three totaling 61,560 acres.

Tentatively, the following areas have been found to be not suitable for wilderness: Fossil Ridge, Oh-Be-Joyful, Wheeler Geologic, Spanish Peaks, San Juan Expansion, Lost Creek, St. Louis Peak, Williams Fork, and Buffalo Peaks.

If the Congress determines it should proceed before completion of the studies now in progress, we could support only those wilderness proposals for areas tentatively identified as suitable in the planning process as completed to date.

H.R. 5470 proposes eight wildernesses which our study tentatively indicates are not suitable. It also includes larger acreages for several areas we consider tentatively suitable.

H.R. 5470 also proposes wilderness additions of areas released by the Colorado Wilderness Act of 1980. We do not support these additions.

We also oppose the proposal that the Williams Fork roadless area be managed to protect its wilderness suitability indefinitely.

To the extent the wilderness proposals of H.R. 5470 go beyond what our tentative wilderness study suitability analysis supports, we must oppose that bill.

On the other hand, H.R. 5426 proposes only two wildernesses which our study indicates are not suitable. H.R. 5426 also includes some acreage not within the area originally identified for study. It also omits two areas our study found tentatively suitable. With amendments to delete Oh-Be-Joyful and Spanish Peaks, very probably some boundary adjustments, and incorporation of appropriate release language, we would not oppose enactment of H.R. 5426.

We have not had the opportunity to review the boundaries for all of the proposed wildernesses in detail and cannot comment fully on these at this time.

In summary, Mr. Chairman, we would prefer to complete the process prescribed by the Congress in the Colorado Wilderness Act of 1980 before making final recommendations on either the designated study or further planning areas.

We anticipate this process will be complete in a matter of months. Failing that, we would not object to enactment of legislation classifying as wilderness those areas our studies to date show to be tentatively suitable.

We appreciate this opportunity to present these views and would be pleased to answer questions.

Mr. SEIBERLING. Thank you, Mr. Housley, for a very forthcoming statement here.

You don't comment on the release issue. What is your present position on the revised release language?

Mr. **Housley**. There are others here more expert on release language than I am, Mr. Chairman, but we find that the language worked out by this committee and that in the other body recently would be very acceptable. That would fall within the definition of appropriate.

Mr. **Seiberling**. That is gratifying. I do think it is an improvement over the original language even though it doesn't go as far as some people wanted it to go.

All right. I would like to ask you whether you can give us any specific reasons for the recommendations against certain areas so that we have a better idea as to why you feel they are not appropriate.

Are you in a position to do that?

Mr. **Housley**. I am at some disadvantage, Mr. Chairman, because, as I indicated, our studies are not final. I would be dealing with draft material, but I can, in a general way, comment on those areas.

Mr. **Seiberling**. Let's go through the list. I am not familiar with all of them personally. Fossil Ridge is the first one you mentioned. What is the objection to that one?

Mr. **Housley**. Fossil Ridge study area is an area of high mineral potential. It has in the tentative appraisal a low recreation visitor day capacity and there is an apparent lack of control over activities on patented mining claims within and adjacent to the area.

Mr. **Seiberling**. You mean there are a lot of existing patented claims in the area?

Mr. **Housley**. That is my understanding. I don't have complete data on that to comment on lack of control of mining claim activities as mentioned here.

Mr. **Seiberling**. The staff shows me a map which indicates that the areas of the claims have been excluded from the proposed wilderness in the bill—in the Wirth bill.

Are you familiar with that map?

Mr. **Housley**. I don't have that before me, Mr. Chairman. I think if they are even adjacent to the area that there could be some problem.

Mr. **Seiberling**. The Willow Creek area; are there claims other than Willow Creek?

Mr. **Housley**. I am not personally familiar with that, Mr. Chairman.

Mr. **Seiberling**. If you could supply this for the record, it would help.

Mr. **Housley**. We would be glad to give you any information.

[Editor's note.—In response to Mr. Seiberling's request the Department subsequently furnished the following information:]

Mining claims within the fossil ridge study area: 1,154 claims on 23,080 acres within the Study Area and mostly located within the claim blocks shown on the attached map, and 13 claims on 260 acres within the Willow Creek area included within H.R. 5470 but outside the Study Area.

Mr. **Seiberling**. Now let's go to Oh-Be-Joyful. This is a small area but of great interest to the people of Crested Butte.

Mr. HOUSLEY. Mr. Chairman, in the case of Oh-Be-Joyful Wilderness study area, there is indicated to be a very high likelihood of significant economic and social value due to the mineral resource potential. In terms of the mineral resource potential, we have available—and Mr. Steve Ludington from the Geological Survey, who could answer specific questions and provide more detail on mineral values on any of these areas.

Mr. SEIBERLING. Fine.

Is Mr. Ludington here?

Mr. HOUSLEY. Steve, would you like to join me?

Mr. SEIBERLING. My recollection was that AMAX was interested in Oh-Be-Joyful primarily because they thought they might want to use the water in their mining operations nearer to Crested Butte. Now they have abandoned that project, or at least suspended it. Maybe you can comment, Mr. Ludington.

Mr. LUDINGTON. Certainly.

The present proposed boundary comes within a few hundred meters of the edge of the proposed mining activity. The proposal has been dropped at present because of what has happened to prices in the last few years. It probably isn't economic to go ahead and develop that mine.

Mr. SEIBERLING. Are there any other mineral interests in Oh-Be-Joyful?

Mr. LUDINGTON. We have reason to believe that there may be two additional similar deposits within the area.

Mr. SEIBERLING. Is that inside the boundary of the proposed wilderness?

Mr. LUDINGTON. Yes.

Mr. SEIBERLING. What is that, molybdenum also?

Mr. LUDINGTON. Very likely, yes.

Mr. SEIBERLING. I will tell you one thing, while touring western Colorado in 1979, every place we stopped they said there was a world class molybdenum deposit, I figured there had to be a collapse of the molybdenum market. [Laughter.]

Mr. LUDINGTON. We think that has indeed had something to do with it, the amount of exploration that has gone on in the State of Colorado where we do have molybdenum anomaly that is visible on a planetary scale. That is the home of a good share of the planet's supply of that material.

Mr. SEIBERLING. All right. Let's go to the next one, Wheeler Geologic.

Mr. HOUSLEY. The comment on the Wheeler Geologic study area that was made by the folks working on the study process indicates some interesting geological formations which perhaps should be available to all people regardless of their physical condition; in other words, access for the elderly and handicapped might be appropriate.

The Colorado comprehensive outdoor recreation plan recommends increased priority on picnicking and four-wheeling in that region and, of course, wilderness would preclude that.

There is 1½ million acres of wilderness within 100 miles of this area in addition that is pointed out.

Mr. SEIBERLING. I understand that there is a possibility of dividing and redrawing the boundaries somehow to allow the access by roads up to near the top of the ridge but putting the ridge in wilderness. Is that a feasible solution?

Mr. HOUSLEY. One proposal that is under consideration in the study process is to designate one section, 640 acres, as a special interest area with a motorized travel corridor up to the geologic formation. But since our recommendations are tentative and the studies are incomplete, certainly what you suggest is a possibility. We haven't come down on that yet.

Mr. SEIBERLING. It is aptly named Wheeler, isn't it?

All right, Spanish Peaks.

Mr. HOUSLEY. Spanish Peaks appears to have moderate high potential for both locatable and leasable minerals. I will ask Steve to comment more on that in a moment. But the region feels that vegetative management is needed to help reduce insect and disease occurrence in the area; and that there is, again, need and opportunity for motorized recreation; and need for improvement and maintenance of wildlife winter range and habitat diversity.

We feel that the need could be better met in the Sangre de Cristo and Greenhorn Mountain Wilderness study areas as far as the wilderness resource is concerned.

Do you have additional comments on the mineral potentials?

Mr. LUDINGTON. Just that the potential for the deposits is for deposits of a sort that are well-known, small, and low-grade.

Mr. SEIBERLING. These are deposits of what?

Mr. LUDINGTON. Copper, lead, zinc. Also silver and gold.

Mr. SEIBERLING. All right, now in 1980 it was recommended for wilderness designation. What has changed?

Mr. HOUSLEY. I don't know what has changed, Mr. Chairman.

Mr. SEIBERLING. Times have changed, is that what has changed?

Mr. HOUSLEY. I guess I can only report, Mr. Chairman, what the results of the study that we have made as part of the planning process have developed.

Mr. SEIBERLING. All right.

Mr. HOUSLEY. A more intensive look has been taken now than was available at that time, which was——

Mr. SEIBERLING. This is the timber measurement, is that the vegetative management as you said; is that the big change?

Mr. HOUSLEY. That is probably one. But timber is not a major issue in any of these areas. The timber volumes and potential yield in any of these areas are not great.

Mr. SEIBERLING. I remember going flying over it, it didn't look like much timber to me.

Mr. HOUSLEY. The study has developed a recommendation that insect and disease occurrence in that area could be better handled——

Mr. SEIBERLING. Is there much commercial grade timber in there?

Mr. HOUSLEY. The potential yield for that area is 0.8 million, less than 1 million board feet per year.

Mr. SEIBERLING. All right. Let's go to San Juan Expansion—South San Juan Expansion.

Mr. HOUSLEY. South San Juan Expansion Wilderness study area, again, appears to have a high mineral potential, some acreage suitable for timber production. There is a need for wildlife habitat improvement projects and opportunity for motorized recreation. The area includes land forms and ecosystems already found in the Weminuche and South San Juan Wilderness already established.

Mr. SEIBERLING. This is another Wheeler situation, then?

Mr. HOUSLEY. Perhaps in part.

Mr. SEIBERLING. All right. What about Lost Creek? The city feels it is very important.

Mr. HOUSLEY. Mr. Chairman, the Lost Creek further planning area is one which the study perceives to have a rather low wilderness attributes rating system rating, it is down about 14. The wilderness characteristics have been depreciated by the 19 miles of road within the area. In fact, about 600 acres of timber have been harvested within the area and there is an existing electronic site.

The State of Colorado owns mineral rights on 3,840 acres within the area according to our data.

Mr. SEIBERLING. Excuse me, I didn't get the 3,840 acres. What is that?

Mr. HOUSLEY. The State of Colorado owns mineral rights on about that area, Mr. Chairman.

Mr. SEIBERLING. Oh, I see.

All right. The staff thinks maybe some of those conflicts have been drawn out of the boundaries in the Wirth bill, but we will have to take another look at that.

What about St. Louis Peak?

Mr. HOUSLEY. St. Louis Peak has some problems associated with locating boundaries on the ground and the fact that there is a close proximity to nonconforming land uses which are evident from within the further planning area.

In other words, the wilderness experience is somewhat depreciated by what can be seen from inside the area. There are some resource values that would be foregone but these are not of overriding significance.

Mr. SEIBERLING. But that was important to them, too.

All right. What about Williams Fork? You have already commented on that. Do you have any further details you want to mention?

Mr. HOUSLEY. This is an area which would have a low WAR's rating, wilderness attribute rating, if water development indeed occurs there; it would have a somewhat higher one, up around 20 without the water development. The region's study indicates that the boundary location is pretty much unmanageable and the impending Denver Water Board project also militates against the establishment of that as wilderness or putting some limits on its use.

It, again, may have a high potential for locatable minerals and also the potential loss of wilderness character caused by the water development proposals.

Mr. SEIBERLING. And finally, Buffalo Peaks, which the city also feels is important.

Mr. HOUSLEY. The tentative recommendation, the draft study, indicates that there is a need for active management of wildlife habitat, there is mineral potential, and that there needs to be some land available for fuel wood production and gathering in that area.

There is close proximity to existing wilderness which means much of the need felt in that area.

Mr. **Seiberling**. Now, in 1980, the Forest Service recommended 35,000 acres of it for wilderness.

Mr. **Housley**. That possibility——

Mr. **Seiberling**. In fact, they recommended the whole thing under the Carter administration, and later it was changed to 35,000, now it is down to zero. What has changed?

Mr. **Housley**. The issue is still somewhat open in that particular area, Mr. Chairman. The study is not complete, and it is indeed possible that if allowed to pursue the study to completion, we may be able to find an area that is manageable as wilderness. But at this point we are not prepared to draw that line and say that it is available.

Mr. **Seiberling**. All right. That, at least, gets this in the record then.

Mr. Craig.

Mr. **Craig**. Yes, thank you, Mr. Chairman.

What has caused the delay after the 1980 bill for the completion of some of the studies that were designated in the bill to be completed within 3 years?

Mr. **Housley**. There were several factors pretty much beyond our control which have delayed the planning process in general. I think the Ninth Circuit Court decision in the California RARE II lawsuit impacted planning nationwide, even though it did not directly affect Colorado.

At the same time, we found it necessary to make major revisions in our planning regulations to improve the economic and other analytical aspects in order to meet the test that we felt would be applied to the final plans. Our planning process has been slowed nationwide. We are ahead of other parts of the country in Colorado, as Mr. Wirth pointed out earlier.

Mr. **Craig**. You are saying, then, that the court decision and in essence the threat of a RARE III, or a so-called RARE III on your land management planning, was not effectively taken care of by what was called the Colorado release or sufficiency language that was contained in the 1980 act?

Mr. **Housley**. Certainly that helped, and I think that is reflected in the fact that we are ahead of other areas within region 2 of Colorado in completing plans.

But there was an impact nationwide that attempted—to be consistent between regions in our planning process we needed to make a number of changes in the process, largely dealing with analytical aspects.

Mr. **Seiberling**. Would the gentleman yield?

Mr. **Craig**. I would be happy to.

Mr. **Seiberling**. I am a little puzzled because there was the sufficiency and release language has been in effect in Colorado ever since 1980. So how could there be any need for that change in Colorado?

Mr. **Housley**. Only to the extent there was a need to be consistent in the process used in planning from one region to the next, particularly in the area of analytical processes used.

Mr. **Seiberling**. In other words, you are saying that because of the criticisms of the ninth circuit and the district court in California as to the process used for deciding which areas were not going to be recommended, that you felt you needed to review the areas in all other States; is that what you are saying?

Mr. HOUSLEY. Mr. Chairman, it was more of a delay while we tuned up the process or improved upon it, the process that would be used in all States, or in all regions. It wasn't particularly related to the review of individual areas in this State.

Mr. SEIBERLING. But the criticism of the court was that the process by which you released areas from further wilderness recommendation or consideration was inadequate. Now you are saying that as a result of the change in process, you are dropping areas that were previously recommended. Is that what you are saying?

Mr. HOUSLEY. No, Mr. Chairman. I think the only changes that we have made in the recommendations, to the extent there are changes, have been made as a result of the additional study that we have conducted at the direction of Congress and the legislation that went before.

Mr. SEIBERLING. Has that resulted in fewer or a greater number of areas being released, or recommended for release, or considered to be released?

Mr. HOUSLEY. I think what we are dealing with is six further planning areas, which three we tentatively considered to be suitable for wilderness, and three which are not, of the study areas—I have to go back to my statement to be consistent on the numbers.

Mr. SEIBERLING. I don't want to take more time. You can supply that for the record.

Mr. HOUSLEY. I think that is dealt with in the body of the statement.

Mr. SEIBERLING. All right, thank you.

Mr. Craig.

Mr. CRAIG. Thank you, Mr. Chairman.

Mr. Housley, how many plans would be required in the State of Colorado, if all were completed? How many total plans?

Mr. HOUSLEY. How many forest plans?

Mr. CRAIG. Yes.

Mr. HOUSLEY. I will have to count them up. The Gunnison, Rio Grande, St. Isabel, San Juan, Arapahoe, White River, Pike, Routt. I think that is eight if I counted those correctly.

Mr. CRAIG. How many are completed?

Mr. HOUSLEY. All but two are complete; final plans in four cases, and the others are complete in draft. We have had appeals filed on each of the completed plans that have been filed, however, which is another factor in delaying our completed study.

Mr. CRAIG. That was going to be my next question. How many of these plans have been challenged either through administrative appeal or in the courts.

Mr. HOUSLEY. There have been no court challenges but——

Mr. CRAIG. All of them——

Mr. HOUSLEY [continuing]. These are administrative appeals, and we are moving to deal with those rather quickly, I think.

Mr. CRAIG [continuing]. On the average, how long does it take to complete an appeal process and to get a plan implemented in this situation?

Mr. HOUSLEY. We really have no experience in the process as it applies to forest land management plans under the National Forest

Management Act. But we would expect to be fairly expeditious in getting those resolved perhaps within 6 months unless there is a——

Mr. CRAIG. How long has the current appeals been going on, do you know?

Mr. HOUSLEY. I think those were filed—I would have to supply the exact time for the record, but I think it has been about 3 months or so at this point.

[EDITOR'S NOTE.—In response to Mr. Craig's inquiry, the Department subsequently submitted the following information:]

STATUS OF FOREST PLAN APPEALS IN COLORADO

1. San Juan National Forests, State of Colorado, Nov. 14, 1983; Natural Resource Defense Council, Sept. 29, 1983.

Grand Mesa, Uncompahgre, and Gunnison National Forests, State of Colorado, Nov. 15, 1983; Natural Resource Defense Council, Nov. 15, 1983.

Appealed by both the State of Colorado and Natural Resource Defense Council [NRDC] on the proposed timber harvest levels. NRDC's appeal focuses on the suitability of land for timber production. Specifically the consideration of economic factors in the suitably determination. There are eight intervenors in the NRDC appeal. Four forest products companies, National Forest Products Association [NFPA], the county of Montrose and the cities of Montrose and Crested Butte. NRDC views direct economic data and evaluation as part of the inventory information, equal to reforestation potential, that is, for suitable timber land. The State's appeal is more general. It contends that timber harvesting is overemphasized while Recreation is under emphasized in the plans—the county of Gunnison is the only intervenor in the State appealed.

2. Routt National Forest, Grant Brothers, Nov. 29, 1983 and Dec. 13, 1983; Rocky Mtn. Oil and Gas Association, Dec. 28, 1983; Troublesome RARE II, Dec. 30, 1983.

The Routt has five appeals—two appeals (which have been consolidated) are from the Grant Brothers. They are appealing a decision of the plan not to add another base area (on their land) for the expansion of Steamboat Springs Ski area. The city of Steamboat Springs has intervened. Rocky Mountain Oil and Gas Association has appealed on the grounds that the plan has not adequately identified access restrictions or areas where limiting stipulations will be applied to leases.

An organization called "Troublesome RARE II" has appealed the developmental prescription on a portion of the Arapaho National Forest Troublesome roadless area. They wish the area to remain roadless and designated for primitive recreation (although not necessarily wilderness). The group appealed the plan on technical grounds of timber economic suitability, FORPLAN Input (including interest rates for discounting) and the range of alternative harvest levels. Louisiana-Pacific has intervened in this appeal.

3. John R. Swanson, Dec. 28, 1983.

Mr. Swanson has appealed all forest plans to date basically on the same issue. The plans violate several acts since they do not propose more wilderness.

Mr. CRAIG. I guess, Mr. Chairman, the reason for this line of questioning is to try to establish what kind of a process is underway under within the the Colorado release versus the new release language that Chairman Seiberling and Chairman Udall and Chairman McClure were able to finalize.

With that in mind, do you think it would be desirable to amend the Colorado Act and place the new release language in it?

Mr. HOUSLEY. We would consider that to be a good approach.

Mr. CRAIG. Do you think there would be fewer problems under the new release language versus the release language that is embodied in the 1980 bill, the Colorado bill?

Mr. HOUSLEY. I think it would be helpful in the short run in several areas because——

Mr. CRAIG. In what way would it be helpful?

Mr. **Housley**. Well, until the plans are completed, it would give us release of the areas which were covered by unit plans, for example, and it would make clear the time period that we are talking about, release of 10 to 15 years.

Mr. **Craig**. Do you believe it would expedite the process that is currently underway? Or if that language had been in place in the 1980 bill, would it have expedited the process you are currently involved in in Colorado?

Mr. **Housley**. Probably not. It certainly wouldn't affect the appeal status, Mr. Craig.

Mr. **Craig**. Who has brought the appeals?

Mr. **Housley**. There are various organizations. I would have to supply those for the record.

Mr. **Craig**. Would you please do that? In all cases where you have administrative appeal, provide for the record a list of those organizations that have brought appeals?

Mr. **Housley**. Yes, sir, I would be glad to do that.

Mr. **Craig**. And, of course, the subject of the appeal, why the appeal, and specifics, if you can.

Mr. **Housley**. Yes, sir.

[Editor's note.—The information requested by Mr. Craig has previously been furnished by the Department in response to a prior question from Mr. Craig. The response may be found on page 32.]

Mr. **Craig**. Thank you. Thank you, Mr. Chairman.

Mr. **Seiberling**. It is my understanding that the appellor is the State of Colorado, or appellant, is the State of Colorado, and that the appeals are based on the concern that the proposed rate of cutting is being accelerated beyond the sustained yield level, and that they have nothing to do with wilderness designation. But in any event, the record will show that when you supply the information. Mr. Kogovsek.

Mr. **Kogovsek**. Thank you, Mr. Chairman.

Mr. Housley, as I read your testimony on page 4, you are indicating a possible recommendation of 293,370 acres in paragraph 2. And three of the further planning areas have been tentatively identified as suitable for wilderness inclusion. These are Cannibal Plateau, Davis Peak, and Service Creek, for a total of 61,560, which comes out to about 354,000 acres, approximately.

The bill that I have introduced has approximately 380,000 acres in it. Now, the potential 354,000 acres that you are recommending at this point—and you indicate in your testimony there could be some changes. That is a recommendation from the administration.

Mr. **Housley**. Yes, sir. It is our preferred position that we complete the studies but we are sharing our tentative conclusions about the studies.

Mr. **Kogovsek**. Will possible changes increase that figure, do you think?

Mr. **Housley**. It possibly could. It could also possibly decrease it, or could be some compensating changes; some increases, some decreases within it.

Mr. **Kogovsek**. At any rate, you would agree with me that at this point my piece of legislation has more wilderness in it than you are ready to recommend at this point?

Mr. HOUSLEY. Yes, sir. In addition, we have tentatively found two suitable areas that weren't included in the bill which you introduced.

Mr. KOGOVSEK. And I think we might agree on those two sometime here in the very near future.

Mr. Chairman, let me just go through some of the areas that you went through with Mr. Housley and indicate that I think—the Oh-Be-Joyful area, for instance—with the proper boundary adjustments, I think that we can come to a compromise on that issue and possibly AMAX, while they might not support the recommendation with the boundary adjustment, I think that we can take care of some of their problems.

I think that it is one of the areas that can be worked on and I think that after you see some of our boundaries, Mr. Housley, that even you as the administration might be able to support it.

Mr. HOUSLEY. We are certainly anxious to look at those boundaries in detail with——

Mr. KOGOVSEK. Let me say as far as Wheeler Geologic is concerned, I concur with you that it is a matter of access. There are a lot of people in the State of Colorado who should have access to Wheeler Geologic who have access now who might not have access if in fact we designate it as a wilderness area.

The Spanish Peaks—while there might be mineralization there, and there might be new finds of mineralization, I think that we have to realize that the whole State of Colorado, at least as far as the Continental Divide is concerned, has a tremendous amount of mineralization. But there are those areas, as far as I am concerned, that we should never go into; and the Spanish Peaks, I think, is one of those areas.

Lost Creek, I think, is one of the areas where you might concur can be or should be put into the bill. And I think that after I check with Congressman Kramer, Congressman Kramer from Colorado, that is one of the areas that we can agree on.

Buffalo Peaks, I think, would be one of those other areas, that is in Congressman Kramer's district, that after we check with him, Mr. Chairman, we might be able to find some areas of agreement.

But, once again, as far as Fossil Ridge is concerned, you are recommending that we do not put it in. I am also recommending that we don't put it in. And there are some good reasons as far as I am concerned why Fossil Ridge should not be in there, because if we look at that whole area right now—Mr. Chairman, if I could have your attention just very briefly on Fossil Ridge—I am indicating at this point that I am concurring with the administration, with the Forest Service, that is one of the areas that should not be put in. And one of the reasons basically, if you look at the map, and you don't have a map in front of you—but if you look at what we did back in 1980 as far as the wilderness bill is concerned, we have the West Elks as wilderness; we have the Raggeds as wilderness, we have the Maroon Bell Snowmass as wilderness, we have Elk Mountain Collegiates as wilderness, and that whole area right now is pretty much connected as one large wilderness area.

And I think that by putting Fossil Ridge in, we don't protect any more ecosystems, it is one big ecosystem right now. And I just think that at some point we have to say enough is enough.

As staff is pointing out, that area is completely surrounded by what we did in our 1980 wilderness bill.

I think that if, in fact, we put too much wilderness in that area, we are going to be forcing too much other attention on areas south of there. And it is one of the things that I am concerned about; it is one of the things that people of that area are concerned about—and we are going to be fairly adamant on that area.

Mr. SEIBERLING. That is not the one that the city of Denver was interested in, particularly, as I recall.

Mr. KOGOVSEK. One other question for Mr. Housley.

Mr. Housley, why didn't the Forest Service study Wheeler Wasson for management alternatives as we directed you to in my 1980 bill?

Mr. HOUSLEY. Excuse me, which area?

Mr. KOGOVSEK. The Wheeler Wasson area. In the 1980 bill we had directed the Forest Service to study that area for management alternatives other than wilderness, and we haven't seen those recommendations yet.

Mr. HOUSLEY. I am sure that would be part of the forest plan, Mr. Kogovsek. I haven't a summary of that here before me but that is part of the planning process, to consider alternatives.

Mr. KOGOVSEK. I would like to see that plan because all we have heard so far is that that is a recommendation for nonwilderness and no alternatives. I would hope that that plan would have some alternatives because I think we can agree that the Wheeler Wasson should be protected but I think that there are other ways of doing it other than wilderness, and I would hope you would come up with some suggestions.

Mr. SEIBERLING. Does that complete the gentleman's questions?

Mr. KOGOVSEK. Yes.

Mr. SEIBERLING. If there are no further questions, we——

Mr. KOGOVSEK. One moment, I am sorry, Mr. Chairman, I do have one other question. I beg your indulgence.

Mr. SEIBERLING. All right.

Mr. KOGOVSEK. Let me ask Mr. Housley how the Sierra Club suit or reserved water rights affect your management of wilderness in Colorado?

Mr. HOUSLEY. Our general counsel gets nervous if I comment on litigation because I am not knowledgeable in that area. I think it would be safe to say that we have responded, or counsel has responded, to that suit in terms that we think we have reserved water rights, and there are some other responses to the suit as well. And we are proceeding to manage on that basis without basic change in approach.

Mr. KOGOVSEK. Thank you.

Mr. SEIBERLING. Thank you. Mr. Housley, we appreciate very much having your testimony.

Mr. HOUSLEY. Thank you, Mr. Chairman.

Mr. SEIBERLING. We will now proceed with Mr. David Getches, executive director of the Colorado Department of Natural Resources.

[Prepared statement of David H. Getches may be found in appendix I.]

STATEMENT OF DAVID H. GETCHES, EXECUTIVE DIRECTOR, STATE OF COLORADO DEPARTMENT OF NATURAL RESOURCES

Mr. **Getches**. Thank you, Mr. Chairman and members of the committee.

I am David H. Getches, executive director of the Colorado Department of Natural Resources, and I am presenting testimony today on my own behalf and on behalf of Gov. Richard Lamm and the State of Colorado.

We are very proud that Colorado was at the forefront of wilderness designation. We fortunately avoided much of the acrimony and wasteful litigation that plagued a number of States following the RARE II process. Thanks to some aggressive bipartisan work and the work of our congressional delegation with sponsorship by Congressman Ray Kogovsek, we had decisive action from Congress on the 1980 Wilderness Act which designated 1.4 million acres in our State as wilderness.

The act also designated the 12 wilderness study areas and 6 further planning areas. Now that those areas have been studied carefully by the United States and the State has participated in studying them as well, we are prepared to join in some recommendations for wilderness designation.

Over the recent past, representatives of the department of natural resources and the Governor's office have viewed most of the sites. Together with Senator Gary Hart and his staff, we have satisfied ourselves that the sites I am going to mention today succeed in striking an appropriate balance between many competing interests.

We have consulted with representatives of diverse interests: recreationals, agricultural, mining, local government, ranching, oil and gas, and environmental. And in this process were able to determine and adjust appropriate boundaries to be recognized for wilderness area designation.

We think that a little over 730,000 acres should be designated as wilderness and, admittedly, this is some 470,000 acres less than conservation groups have urged.

Mr. **Kogovsek**. Mr. Chairman, if I could interrupt—do we have a copy of Mr. Getches statement?

Mr. **Getches**. Copies are being made and will be furnished as soon as they are made. I apologize for the inconvenience.

Mr. **Kogovsek**. All right, if you would start that portion of the testimony over again where you are just getting into the acreage, I would appreciate it.

Mr. **Seiberling**. Are you just hitting the highlights? If so, we will put the entire statement in the record.

Mr. **Getches**. I will be mentioning a few words about each of the areas.

Mr. **Seiberling**. All right. Is your prepared statement longer than your oral statement? Because if so, we will put the entire prepared statement in the record so that you can summarize.

Mr. **Getches**. It will be essentially the same thing. I am departing slightly from it.

Mr. **Seiberling**. All right, thank you. Go ahead.

Mr. **Getches**. The 730,000 acres that we recommend is, as I was saying, some 470,000 less than conservation groups had urged. It does eliminate entirely one area mandated for study in the 1980 bill—that is Williams Fork. And this is because of the potential interference with the development of private water rights.

But in all cases, we think that the boundaries that we are recommending were set to assure maximum protection of wilderness while allowing reasonable development, especially as it relates to existing rights without impairing wilderness characteristics.

The State has reached full agreement on all areas that were ultimately included in Senator Hart's wilderness bill, S. 2032. Those carefully defined areas were the result of extensive research on the ground investigation and compromise.

We think that the stage is now set for finishing the job begun 4 years ago and we are delighted that Representative Kogovsek and Representative Wirth have made wilderness designation a priority on their legislative agenda.

Roderick Nash in "Wilderness in the American Mind" wrote that wilderness was the basic ingredient of American civilization. From the raw materials of the physical wilderness, America built a civilization. With the idea or symbol of wilderness, they sought to give that civilization meaning.

We have come a long way from the contempt that was expressed by William Bradford when he described what he saw when he stepped off the *Mayflower* as a hideous and desolate wilderness. Now we seek it out as a treasured form. One of the first to seek out wilderness for its attractive mysteries and beauties was de Tocqueville when he observed in 1831 that Americans are "insensitive to the wonders of the inanimate nature," interested only in subduing it.

But after the frontier closed, American attitudes changed and now we have an attitude of widespread appreciation and attraction for wilderness. And Nash says that "wilderness appreciation is one of the most remarkable intellectual revolutions in the history of human thought about land."

In fact, wilderness now enjoys such tremendous popularity in Colorado that it is becoming scarce. This is especially apparent in our State where recreation is so vitally important as the enthusiastic crowds seek the treasures of wilderness, they threaten to use up the nonrenewable resource.

Expanding wilderness areas in Colorado is essential, more essential now than ever. Colorado is growing rapidly in population and recreation is now our second largest industry in the State, with over 447 million recreation visitor days expected next year.

High tech is thriving in the State but there is an increasing tendency, nevertheless, for people to seek out primitive forms of recreation.

John Naisbitt, in his "Megatrends," offered an explanation for this. He said that there is an evolution of a highly personal value system in an attempt to compensate for the impersonal nature of technology all around us.

An old Coloradan, about 30 years ago, George W. Kelley, who was president of the Colorado Forestry & Horticultural Association, testified then on the hearings concerning Dinosaur, that, "Wilderness areas have become a spiritual necessity, an anecdote to the strains of modern living."

As the material wonders of technology skyrocket, we think that the need to balance spiritual demands of our human nature does too, and never has that need been greater in Colorado.

Today, the State supports the addition of eight extensions to existing wildernesses in Colorado and the establishment of nine new wilderness areas. All the areas should be subject to the existing provisions of the 1980 Wilderness Act. Each proposed site is unique within its proposed boundaries and provides a special retreat for those who want or need a wilderness experience or just benefit from knowing it is there.

Let me identify and describe the areas. I would first like to draw your attention to the additions to existing wilderness areas.

DAVIS PEAK FURTHER PLANNING AREA

The 22,340 acres of this area north of the popular recreation area of Steamboat Springs, is a logical addition to the Mount Zirkel Wilderness. The proposed addition contains several trails that will spread out uses and impacts on the now heavily used wilderness.

The lower elevation ecosystem with its numerous open parks will complement the existing rugged alpine wilderness.

LOST CREEK FURTHER PLANNING AREA

The 11,000-acre addition to the existing Lost Creek Wilderness would provide a necessary expansion of a popular and now overutilized low-elevation wilderness area that is, as Mr. Gougeon said, within an hour's drive southwest of Denver.

The area is one of the few places to hike and enjoy wilderness experience during spring and fall when high elevation areas are too cold or inaccessible because of snow.

The massive, colorful outcroppings of huge boulders in the Lost Creek area make the trip here an unusual and unforgettable scenic wilderness experience.

OH-BE-JOYFUL WILDERNESS STUDY AREA

The addition of 5,500 acres just north of Crested Butte and Gunnison County in the Raggeds Wilderness is proposed in both H.R. 5426 and H.R. 5470. We understand there is a molybdenum deposit, part of which extends into the area. The extraordinary wilderness qualities of Oh-Be-Joyful outweigh the possibility that molybdenum might be mined there, especially given the existence of major deposits elsewhere in the United States.

WEST NEEDLES AND WEMINUCHE WILDERNESS STUDY AREAS

These areas adjoin the existing Weminuche Wilderness between Durango and Silverton. The 33,000 acres that should be added include the West Needle Mountains from the ridge west of Cascade Creek to just south of East Lime Creek. It also assures that Emerald Lake, just to the south, is within the established wilderness area.

Mineral conflicts in that area are prevented by drawing the boundaries to avoid three parcels around Molas Lake, Deer Park, and north of Highland Mary Lakes.

SOUTH SAN JUAN EXPANSION WILDERNESS STUDY AREA

There are two proposed additions here to the South San Juan Wilderness, and they total 32,800 acres; they are V-Rock and Montezuma Peak. These are about 50 miles south and west of Alamosa. The primary population center in the San Luis Valley. The additions comprise some of the most remote and wildest areas remaining the the State. In fact, the first and only grizzly bear to be found in Colorado in the past 30 years was in the area near Montezuma Peak. The boundaries have been drawn to avoid the Chama Basin, an area of important oil and gas potential.

AMERICAN FLATS WILDERNESS STUDY AREA

This is an obvious addition of 1,505 acres to the existing Big Blue Wilderness. It is on public land managed by the Bureau of Land Management, about 15 miles west of Lake City. It has been recommended for wilderness designation by BLM. The addition will ensure the long-term protection of the high altitude proportion of the Big Blue watershed.

The Wheeler Geologic study area has been mentioned many times today. This area would add 29,350 acres to the existing La-Garita Wilderness. It is of special importance to the State of Colorado.

The State has, with the cooperation of the U.S. Forest Service, officially designated 640 acres as the Wheeler Geologic Natural Area because of the presence of a nationally significant geologic formation there.

The history of this area is interesting. It was originally designated as a national monument in 1908 by President Theodore Roosevelt, but it was redesignated in 1950 because of a lack of funds to manage the area.

The 640 acres that is the natural area at timberline is a spectacularly carved phenomenon of colorful volcano tuff that has been shaped by the weather. It was deposited there 26 million years ago.

Wilderness designation of the natural area and its surroundings should provide the necessary protection to the vulnerable site and to the nearby Wasson and Silver Parks with their scenic, open qualities. It will also prevent sensitive geologic features from being accessed by motorized vehicles and damage by overuse.

THE SPRUCE CREEK ADDITION WILDERNESS STUDY AREA

Adding an 8,000-acre wilderness area in Pitkin County as recommended by the Forest Service, will protect the roadless area that includes Spruce Creek and Spruce Trail. The area is habitat for mountain lion, lynx, whitetail ptarmigan, and the specially protected Colorado cutthroat trout. The area is now bounded on three sides by the Hunter-Fryingpan Wilderness, to which it will become an addition.

I am now going to turn to the new wilderness areas that we seek in Colorado.

SERVICE CREEK FURTHER PLANNING AREA

The 50,450 acres of wilderness would be designated southeast of Steamboat Springs in a breathtaking area of the Northern Gorge Range. The area would assure protection for some vital big game habitat and protect the watersheds of Service Creek and Harrison Creek.

BUFFALO PEAKS WILDERNESS STUDY AREA

The 57,430-acre proposed wilderness area is enclosed by boundaries which were adequately adjusted to exclude the heavily mineralized area around Weston Pass and Low Pass Gulch. The area has significant wilderness qualities and provides, as Mr. Gougeon pointed out, one of the most productive bighorn sheep areas in Colorado.

Buffalo Peaks is accessible to visitors from the urban area of the central front range and the growing Dillon-Breckenridge area.

CANNIBAL PLATEAU FURTHER PLANNING AREA AND POWDERHORN PRIMITIVE AREA

These two adjacent areas are managed by the U.S. Forest Service and the Bureau of Land Management. They comprise together a priority wilderness area of 63,700 acres. The area is special because it includes the largest extensive alpine tundra south of the State of Alaska.

Boundaries recommended by BLM for the Powderhorn area are logical and manageable. Boundaries are proposed for Cannibal Plateau that would preserve the integrity of the area as stated in H.R. 5470, while excluding areas on Mesa Seco and south of Brush Creek which are now used by snowmobiles.

FOSSIL RIDGE WILDERNESS STUDY AREA

The 55,560 acres of rugged mountainous wilderness is dotted with alpine lakes. It lies in the central mountains of Colorado not far from the population center of the Gunnison Valley. Its designation would help meet the increasing wilderness demand that I spoke of before and would protect the dramatic beauty of this area from deterioration and overuse.

The area now contains golden eagles, mountain goats, and peregrine falcons. It has extensive riparian wetlands and an exquisite panorama from any point along the ridge.

The area's limestone bedrocks and outcroppings contain 300- to 600-million-year-old fossils, which represent nearly all of Paleozoic history.

The Fossil Ridge Wilderness Area should resist poisoning from acid precipitation and actually could provide a controlled study area in the central Rockies for acid deposition effects on lakes and rivers in the area.

Small parcels containing mineral claims and private lands along Cameron Creek and Cross Creek are outside the proposed boundaries.

We have information that uranium and gold may be recovered from the proposed wilderness but market conditions and other uncertainties lead us to feel that wilderness designation should win out in this superb area.

GREENHORN MOUNTAIN WILDERNESS STUDY AREA

This area is in the Wet Mountains, including more than 22,000 acres northwest of Pueblo. It is already very popular for recreation. It is noted for its wildlife, deer, bighorn sheep, and the native Colorado cut-throat trout.

THE PIEDRA WILDERNESS STUDY AREA

Establishing this 49,100-acre in the Archuleta and Hinsdale Counties as a wilderness would add slightly to the Forest Service recommendation. It is important to include all of the Piedra River as recommended in the Forest Service recommendations because it is a recommended wild and scenic river and it represents one of the Colorado's best trout fisheries.

The Piedra, along with Little Sand Creek, Weminuche Creek, and Piedra First Fork also contain reintroduced river otter, a State-endangered species.

ST. LOUIS AND VASQUEZ PEAKS FURTHER PLANNING AREAS

These two adjacent areas of primitive timberline peaks totalling 24,160 acres border the existing Fraser Experimental Forest in Arapahoe National Forest. They are only about 60 miles from Denver, making them accessible to the population of the Front Range.

SANGRE DE CRISTO WILDERNESS STUDY AREA

The Sangre de Cristo Mountains comprise our largest proposed wilderness area, nearly a quarter million acres. These beautiful mountains reflect the cultural heritage of Colorado and they are the home of black bear, cougar, elk, bighorn sheep, and eagles.

A wilderness area should encompass the Lily Lake area in the southern portion of the range that provides wilderness access to Blue and Como Lakes as well as one of the most spectacular 14,000-foot peaks in Colorado, Blanca Peak. Another 14'er, Little Bear Peak, should also be included in that Sangre de Cristo Wilderness.

Medano Lake should remain closed to motorized vehicles, although Medano Pass, the Rainbow Trail, and parts of the spectacular Comanche/Venable Trail would remain open for some motorized recreation.

SPANISH PEAKS WILDERNESS STUDY AREA

With an adjustment to allow access to the Bull's Eye mine, virtually all of the study area acreage should be designated as the Spanish Peaks Wilderness. It is distinguished by the well-known twin volcanic peaks that rise majestically southwest of Walsenburg.

Having gone through the specific areas, I wanted to raise a special issue concerning private and State inholdings that are scattered throughout existing and proposed wilderness areas in Colorado.

I would like to recommend that Congress, in the course of its consideration of the 1984 wilderness bill, consider ways of addressing the inholdings problem.

The State land board is under a constitutional mandate to manage its lands for maximum revenue primarily for the State school funds from its lands.

This purpose, and the purpose of private landowners, may conflict with the management of wilderness. All told, the inholdings are relatively few and small and we think they could be dealt with by land exchanges. Because land exchanges are complex undertakings and often are pushed to the bottom of the agency's priority list, I recommend that Congress consider a provision mandating that within 5 years of enactment of the 1984 wilderness bill, the Forest Service or the Bureau of Land Management should purchase the inholdings or acquire them by land exchanges.

Now is the time for Congress to make responsible decisions to preserve the areas I mentioned in Colorado. They have true wilderness qualities, they deserve to be designated for wilderness use and enjoyment by all of us and by future generations. Their need for a wilderness experience is going to be even greater than ours.

I strongly urge favorable consideration of the areas discussed so that their pristine beauty can be assured and they will be managed with that in mind.

The American quality of life today and in the future will be enhanced by the opportunity to view these magnificent areas and to experience the simple, natural solitude that can be found there. Thank you.

Mr. SEIBERLING. Thank you, Mr. Getches. I appreciate the specificity of your comments on these various areas.

Mr. Kogovsek.

Mr. KOGOVSEK. Thank you, Mr. Getches, for your testimony and your attention to this important piece of legislation.

You have indicated that tourism recreation is Colorado's No. 2 industry. What is the No. 1 industry, Mr. Getches?

Mr. GETCHES. It is industry, manufacturing.

Mr. KOGOVSEK. Let me ask you in a couple of areas. Were you aware, as far as the Sangre de Cristos are concerned, that Blanca Peak itself is private property?

Mr. GETCHES. Yes; we are aware of the inholdings problem and that is why I especially addressed that.

Mr. KOGOVSEK. You are recommending some, after that testimony, you had recommended some land transfers, some trades, and so on. Can you give me a specific example, not a specific example, but can you give me an example of what you have in mind?

Mr. GETCHES. Well, only of process. It seems that what we would like to see done is have the land management agency, whether it is the Forest Service or the Bureau of Land Management, be put under a deadline to conclude some type of transfer from private hands or State hands, the lands that will be inholdings. That is very difficult, of course, if at the end of a 5-year period there is an impasse, what do we do?

I would offer as a solution to that an arbitration approach wherein the landholder and the Government each appointed an appraiser, and the two appraisers appoint a third appraiser. We have used that in other instances and it has worked rather well.

Mr. **Kogovsek**. Yes; I guess, David, my specific question is: Is the State recommending condemning private land as a possible solution to solving some of these problems?

Mr. **Getches**. We don't like the idea of condemning private land. We like the idea of working out through a land exchange process and negotiation approach to that problem. Ultimately, if condemnation were seen as absolutely necessary to achieve management goals, that should be considered.

Mr. **Kogovsek**. OK. And that would probably be the case if in fact you had an unwilling seller?

Mr. **Getches**. That would.

Mr. **Kogovsek**. In your recommendations as far as the Wheeler geologic area, and it is going to be one of the centers of controversy—it keeps coming up in everybody's testimony. The boundaries that you are recommending on the southside come right down to private property.

Has the State of Colorado been in contact with those private propertyowners to talk about access and so on?

Mr. **Getches**. I believe that there have been some people in my office that have talked to them. I can't tell you what the gist of those conversations have been yet.

Mr. **Kogovsek**. At this point, then, you would have no guarantee that we have any kind of agreement with those landowners?

Mr. **Getches**. That is correct.

Mr. **Kogovsek**. In the area of Fossil Ridge, another controversial point, has the State of Colorado been in touch with the county commissioners in Gunnison County in regard to Fossil Ridge?

Mr. **Getches**. I believe the county commissioners have been in touch with us about it.

Mr. **Kogovsek**. They are opposed to the inclusion of Fossil Ridge?

Mr. **Getches**. That is my information.

Mr. **Kogovsek**. If in fact if Fossil Ridge were included, it would have a significant impact on the land-use plan that the county presently has; is that correct?

Mr. **Getches**. I am not aware of that, that may be the case.

Mr. **Kogovsek**. I think it would be because once again, as I said earlier, Mr. Chairman, when you are talking about that kind of wilderness inclusion in the area where we have a tremendous amount of wilderness acreage already, while we are worried about pressure as far as wilderness is concerned, I am worried about pressure in the areas not designated wilderness. And that is going to have an impact, Mr. Getches, on the area directly south of that whole wilderness area.

That's all the questions I have, Mr. Chairman.

Mr. **Seiberling**. Thank you. Mr. Craig.

Mr. **Craig**. Thank you very much, Mr. Chairman.

Mr. Getches, we appreciate your testimony.

Would you once again tell me the number of tourist-days in Colorado.

Mr. **Getches**. Yes; we are anticipating 447 million recreation visitor-days.

Mr. **Craig**. How do you compute that? What does a visitor-day represent?

Mr. **Getches**. It is computed by the tourism council and it is based on visitation that is primarily dedicated to tourism or recreation that day.

Mr. **Craig**. So if I came to Colorado as a tourist from Idaho and spent 5 days, that would be 5 visitor-days?

Mr. **Getches**. That is correct.

Mr. **Craig**. I see.

Can you give me a pattern of those days? Is it cyclical; does it tend to peak at one period of the year or another period of the year?

Mr. **Getches**. I don't have those figures. The seasonality of it would not be significant statewide but area by area, depending upon whether the area was popular for winter sports, or summer recreation. There is a lot of overlap there.

I don't have that pattern available. I could attempt to get it from the tourism council, if you wish.

Mr. **Craig**. Based on being a Westerner myself and watching with great envy the ability of the State of Colorado to effectively move in the area that you are talking about, through very good advertising and through marvelous ski areas—I guess I am assuming—based also on my almost weekly sojourn through Stapleton Airport—the bulk of that traffic tends to appear in the wintertime.

Mr. **Getches**. There is a tremendous influx in the summer, too. And even in the ski areas they are attempting to smooth out the cycles by adding summer attractions. A lot of these ski areas that are adjacent to, or not far from wildernesses, are capitalizing on that.

Mr. **Craig**. Is a ski area a wilderness area?

Mr. **Getches**. No; I think that once it is in the ski area it is not, although many of our ski areas are very near the wilderness areas. I mentioned a couple of those.

Mr. **Craig**. In other words, I am saying those that come in the wintertime, come to utilize what are now called developed public lands; are they not?

Mr. **Getches**. Yes; but with some qualification, for instance——

Mr. **Craig**. How can you qualify a ski area?

Mr. **Getches**. The ski areas that are primarily placed there and drawing the revenues from downhill skiing are beginning to promote cross-country skiing and often provide a jumping off place for use of these very same wilderness areas in the wintertime; they outfit the people with skis, set them off on a trail, and off they go into the wilderness.

Mr. **Craig**. How do they handle the trail management? Is it an unmanaged trail?

Mr. **Getches**. The trails are controlled, as far as motorized access; for instance, there will be postings and barriers, that——

Mr. **Craig**. No; I am talking about the trail condition, the snow condition on the trail. Is it an unmanaged trail?

Mr. **Getches**. Yes; it is typically unmaintained in the wilderness areas.

Mr. **Craig**. I know that one of the very popular things now going on in Colorado and other areas, including Idaho, is for those who can afford it, to be flown into certain areas to ski out, with a motorized vehicle known as the helicopter.

Mr. **Getches**. Yes.

Mr. **Craig**. That would be eliminated if those areas were to become wilderness, would it not?

Mr. **Getches**. That is correct, at least from having the helicopter land physically in the wilderness.

Mr. **Craig**. They could drop them off at some altitude, probably.

Mr. **Getches**. Most of it by parachute, yes, that is correct. [Laughter.]

Mr. **Craig**. In all your testimony the one thing that concerned me was when you spoke of inholders, which are quite typical in the West. I much prefer to call it private property, because I don't want to be called an inholder. And our ranch happens to have a lot of public land around it, and we value that private land. We also value the public land.

Am I hearing you say that for the good of the State you would condone the taking of that land?

Mr. **Getches**. I think that the point I wanted to make was that we favor land exchanges and——

Mr. **Craig**. I accept that, but the point that my colleague from Colorado made was that if everything else failed, what then?

Mr. **Getches** [continuing]. As I indicated, we wouldn't want to see condemnation except when management made that necessary.

Mr. **Craig**. Well, that is for the good of the State, isn't it?

Mr. **Getches**. It could be for the good of the State, but we don't want to see that happen unless management dictates it.

Mr. **Craig**. But who is the management?

Mr. **Getches**. I am talking about management of the public lands.

Mr. **Craig**. I know what you are talking about. We tried to solve that problem in the Idaho central wilderness area and we decided that we ought to honor private land, so we grandfathered it in almost every instance.

Mr. **Getches**. I am not suggesting that it has to be eliminated in every instance. I am suggesting an aggressive program of exchanges and condemnation only as a last resort when there is a direct and immediate conflict with the ability to manage a specific parcel. That would not and should not be construed as favoring elimination of all inholdings.

Mr. **Craig**. So you are basically asking us, maybe, to change the intent of the 1964 act?

Mr. **Seiberling**. Would the gentleman yield?

Mr. **Craig**. I would prefer that he answer that question first.

Mr. **Seiberling**. Well, he can't answer it because the intent of the 1964 act and the letter of the 1964 act is that once it is in a wilderness, the Forest Service can no longer use condemnation to acquire land. They can when it is in the national forest nonwilderness area, but once it is in wilderness it can only be on a willing-buyer-willing-seller basis.

Mr. **Craig**. That is why I asked the question. He is talking about lands inside proposed wildernesses.

Mr. **Seiberling**. My point is that the record should show that once it is in the wilderness, the only way the land can be acquired would be on a willing-seller basis.

Mr. **Craig**. I accept that, but he is also asking us that we change. I think you said you recommended some language that would allow exchange or that would allow a negotiation process. You are now telling us it would also allow condemnation.

Mr. **Getches**. Mr. Kogovsek brought up condemnation. I said that I didn't see condemnation as anything but a last resort. I am not recommending changing the law in that respect. I am recommending an aggressive program of exchanges or purchases, and an attempt to deal with those inholdings in that way, not a change in the law to allow for condemnation.

Mr. **Craig**. Maybe I would have to ask the chairman this question. If this were to be the case, and we pursued this direction, would this have to be done prior to the land being put into wilderness? And, if so, would that hold up?

Mr. **Seiberling**. Not on a voluntary basis.

Mr. **Craig**. And the exchanges, all of that would have to be completed if you had a single inholding?

Mr. **Seiberling**. No; they could still go ahead and buy or exchange land in wilderness areas provided the owner was willing to do so.

Mr. **Craig**. But if the owner were not willing to do so?

Mr. **Seiberling**. Then nothing could be done.

Mr. **Kogovsek**. If the gentleman would yield at that point.

We got into the whole situation, Mr. Getches, in regard to Blanca Peak, which is owned privately. And your answer to me, when I had indicated that if there was an unwilling seller, that the State would prefer to resort, not prefer, but possibly would resort to condemnation.

Mr. **Getches**. I said there that if the mountain was seen as essential to management purposes, then the Federal Government may want to consider condemnation.

What I am recommending, and I want to be clear about, is that there be every attempt to exchange or purchase the land on a voluntary basis.

Mr. **Craig**. Thank you, Mr. Chairman.

Mr. **Seiberling**. There could be only one way to do it that I can see, and that would be to leave the land out of the designated wilderness and provide that if the Forest Service should acquire it by condemnation or otherwise, it would be added to the wilderness automatically; I mean, you could do it that way. I have never seen that done, and I don't know that anyone is advocating that.

Mr. **Craig**. In that case, though, Mr. Chairman, wouldn't you really intensify the pressure for condemnation opportunity?

Mr. **Seiberling**. Undoubtedly.

Mr. **Craig**. Yes.

Mr. **Seiberling**. Any other questions?

All right, thank you very much, Mr. Getches.

Mr. **Getches**. Thank you, Mr. Chairman.

Mr. **Seiberling**. Wait, I do have a question, excuse me, just to make sure I understand it.

Sangre de Cristo, the wilderness area would be adjoining the Great Sand Dunes National Monument. However, there would be a portion of the Great Sand Dunes National Monument that would not be in either the national monument wilderness area or the national forest wilderness area, but would lie between the two, and I presume would extend also up this road corridor over the mountain and down onto the east side. Is that correct?

Mr. GETCHES. There is an exclusion there for two road corridors, I believe.

Mr. SEIBERLING. Yes; but in that Great Sand Dunes area I only see one.

Mr. GETCHES. Yes, that is right.

Mr. SEIBERLING. OK. Now, is there a road there now?

Mr. GETCHES. There is a four-wheel drive road, I believe.

Mr. SEIBERLING. I see.

Why is it necessary to continue that road?

Mr. GETCHES. I believe that road is used with some frequency now. We felt that on balance that was one of the compromises that had to be made. It is a tough call but it is one that we feel in deference to the motorized recreation interests ought to have been made that way.

Mr. SEIBERLING. The thing that would concern me, and this is really a problem for the National Park Service, is how will they prevent off-the-road vehicles from getting into the wilderness area of the Great Sand Dunes?

Mr. KOGOVSEK. Mr. Chairman?

Mr. GETCHES. There is a capability for that intrusion by motorized vehicles because the terrain isn't a barrier at that point. It is a management issue and I would prefer to defer to the Forest Service on that question.

Mr. SEIBERLING. Is that a problem?

Mr. KOGOVSEK. No, it isn't, Mr. Chairman, if you would yield.

Mr. SEIBERLING. Yes, Mr. Kogovsek.

Mr. KOGOVSEK. I lived in that area for 2 years. It has never been a problem. There is a college that I used to attend about 30 or 40 miles from the Great Sand Dunes National Monument called Adams State College. Students generally preferred to go into that area for recreation.

The National Park Service has done a very good job over the years in making sure that there is no damage done in any part of that area. It is a management situation; the National Park Service has handled it very well over the years, and I don't see any problem in the future.

Mr. SEIBERLING. Thank you. Are there further questions?

[No response.]

Mr. SEIBERLING [continuing]. We will now go to our first panel consisting of Mr. Gene Bergoffer, National Forest Products Association; Mr. Paul Scheidig, Southwest Forest Industries; Mr. Conrad Rupert, Louisiana-Pacific; and Mr. Doug Jones of Doug Jones Sawmills.

We have 17 witnesses to go so I am going to start enforcing the 5-minute rule on witnesses and members, or we are never going to get out of here today.

Shall we proceed in the order named?

[Prepared statement of Edward J. Wren may be found in appendix I.]

PANEL CONSISTING OF GENE BERGOFFER, NATIONAL FOREST PRODUCTS ASSOCIATION; EDWARD J. WREN, VICE PRESIDENT, SOUTHWEST FOREST INDUSTRIES; CONRAD RUPERT, SENIOR RESOURCE MANAGER, LOUISIANA-PACIFIC; AND DOUG JONES, OWNER, REPRESENTING COLORADO TIMBER INDUSTRY ASSOCIATION

Mr. BERGOFFER. Thank you, Mr. Chairman. I am Gene Bergoffer from National Forest Products Association.

We are here today to express our support for the views of the Colorado timber industry. Primarily, though, we want to use this early opportunity to express our appreciation to those of you on this committee who, along with your Senate colleagues, brought about resolution of the question of release language.

This effort that you just completed was a true compromise, where parties on both sides gave a little from their full objectives to come up with a result that was positive for both sides.

Some reports have suggested that one side or the other in this solution was a big winner, or a big loser, or a capitulator, or otherwise, but we don't think this is the case. We view this compromise that you created and helped create, as a win-win solution for both of us, for all of us.

For the industry, the language provides the overall stability and continuity we were seeking. It allows us all now to focus primarily on the merits of each proposal. We expect now that this standard release language and the accompanying report language, which is very important in explaining its meaning, will be part of future wilderness actions, and it would be appropriate in the case of future Colorado actions.

Our hope is that with these release principles established, the era of polarization can be over and we can all move forward to a period of stability as wilderness allocation issues are dealt with and subside.

Thank you for this opportunity, on short notice to be here, we wanted to make this statement as soon as possible after that release language was agreed to.

Mr. SEIBERLING. Thank you very much. I appreciate your support of that revised language. I do feel that it is something where everybody won, and we will pay attention to the committee report language.

We think we have done a pretty good job in the Arizona bill but we agree with Senator McClure to modify it to conform to the new release language, which I don't think means any significant changes.

If you have any further thoughts on what that language ought to be that is any different from the Arizona bill language, we would certainly like to have them, which you could submit to us at your convenience.

Mr. SEIBERLING. Mr. Scheidig.

Mr. WREN. Mr. Chairman, I am Ed Wren, a vice president of Southwest Forest Industries, appearing instead of Mr. Scheidig.

Mr. **Seiberling**. How do you spell your last name?

Mr. **Wren**. W-r-e-n. I have given copies of my statement, with the correct name, to the secretary of the committee.

Mr. **Seiberling**. All right, thanks.

Mr. **Wren**. Thank you, Mr. Chairman.

I think basically I would ask that my full comments be included in the record and I will be very brief and try to keep it even under the 5 minutes.

Mr. **Seiberling**. Without objection, all prepared comments will be included in the record.

Mr. **Wren**. Basically, Mr. Chairman, our company, even though it is a large company with operations in several States, has one sawmill in southern Colorado in a small town called South Fork. We have been involved in that area for quite some time.

We basically support Congressman Kogovsek's legislation, H.R. 5426, and are opposed to the acreage provisions in H.R. 5470.

There have been times in the past, Mr. Chairman, as recently as 6 or 7 years ago, when this particular mill, which is the main manufacturing facility in that area of Colorado.

In the summer—people were talking about recreation earlier—it does derive part of its economy from what happens in the summer, but in the rest of the year our mill is really the main manufacturing facility there, and we are the mainstay of the economy in that area.

We have been involved for quite a while there. I was involved in the endangered American wilderness bill when Andy was with Congressman Roncalio and we had hearings in Creede. Basically, there was one point where we only had 6 months of timber behind that mill, so we are very concerned about it.

We supported the original Colorado wilderness bill, and as I said, we do support Congressman Kogovsek's bill. The two areas that we are particularly concerned with are the Wheeler geologic area and the South San Juans.

I did hear the Deputy Chief of the Forest Service point out that it didn't seem to him like there was much commercial timberland there. I would point out that the Forest Service's own report on the South San Juan says that there is 260.5 million board feet, and that is pretty good timber; that includes 234 million board feet of spruce fir and the rest small amounts of Douglas fir, 16.6; and 9.5 of aspen. The Wheeler Geologic area has about 52 million board feet in it, and there are some other areas.

I guess our problem there, Mr. Chairman, is that they keep—you know, we had the bill in 1980 and now we have got another bill, and we just hope that this is the last bill, no matter how it comes out—and they keep taking more and more pieces. And I realize that the Wheeler area, as an example, has 540 very important acres, but I don't know why you have to surround 540 acres with 29,000 acres to protect it. And this seems to be an ongoing problem that occurs in every one of the States that we operate in, more and more people have a reason for doing that.

As I said, I have got my statement on the record and that will conclude my remarks.

Mr. **Seiberling**. All right, thank you.

Mr. Rupert.

Mr. **Rupert**. Mr. Chairman, committee members:

My name is Conrad Rupert. I do not have prepared remarks today. I will present some for the record later. They will basically follow my presentation today.

I am senior resource manager for Louisiana-Pacific, basically for the Colorado operations. I reside in Kremmling, CO.

Louisiana-Pacific moved into Colorado in February of 1983, following the demise of some previous sawmills.

In general, we support Mr. Kogovsek's bill. We do have some reservations that we would like to express today. We do commend his foresightedness in the compromises that have already been made to foresee some of the needs, particularly the Wheeler geologic area. Even though we have no timber interest in that area, we have interest in access for the folks that would like to see that area.

The one area in specific I would like to speak to today is the Service Creek area which is 40 miles west of Kremmling. Service Creek is an area, depending on which numbers you want to use, of approximately 40,000 acres.

Representative Wirth has proposed in excess of 50,000 acres. We certainly do not support that. And even though we basically support Mr. Kogovsek's bill, we would like to see some reconsideration of that particular area.

Since my basic interest is timber, I would like to hit on that area first. This area lays between 7,000 and almost 11,000 feet, is all below timberline, there are no prominent peaks, no grand vistas to be had in that area. Of that some 40,000 acres, over 18,000 acres is suitable timber production land, and 96 percent of that land is currently occupied by saw timber size stands.

Forest Service figures project that there is an annual allowable cut currently in that area of 2.6 million feet per year, long-term sustained yield. That is in excess of 10 percent of the new sawmills needs at Kremmling, within a 40-mile radius. It is all mature timber—I had the opportunity to fly the area just 3 days ago, and there is also very active signs throughout the area of active mountain pine beetle which is moving in that four- or five-county area, around Grand County, Summit County, Routt County.

So we feel that this area, from that standpoint, certainly deserves reconsideration.

The Forest Service found it capable, available, and in their own interpretation, needed. We question the need. There is 1.7 million acres of wilderness within a 100-mile radius. There is over 700,000 acres of wilderness within a 50-mile radius in eight areas. Three of these existing in a wilderness have low use; three of them only have moderate use; only two of them have high use. So we question the need.

From a recreational standpoint—and I lived outside of Denver for 2 years, and I well appreciate those folks need to get out—but currently, that area is receiving 1,800 recreation visitor-days, RVD's, annually.

Forest Service says that it will increase to approximately 8,500 RVD's with the wilderness designation. They also say it could increase to over 50,000 RVD's with a resource development alternative.

So I guess I would question which would be the best from a recreational standpoint.

The area I live in, the community of Kremmling, is approximately 1,200 people. We will provide in our industry only over 200 jobs, direct jobs. The mill was shut down for 2 years previous to LP moving in; unemployment, at the time we first moved into that area, was in excess of 30 percent, in that one community. It does not receive the benefit of the steamboats, the winter parks, it is a passthrough area, it is not a destination resort. Unemployment in our community now is less than 5 percent.

Demands, both recreational demands and timber resource demands, were projected by the Forest Service based on the past. There is no provision for potential of the future. They are already in error with the changing economic climate and with the advent of LP moving into the State.

During the past year, we purchased less than 6 months' supply what our mill is anticipated to produce.

From a multiple-use standpoint—which I worked for the Forest Service, and I firmly believed in—a multiple-use designation of this area will allow increased forage; it will allow control of the mountain pine beetle which is spreading; it will reduce treatments of the dead, dying, and what will be decaying timber; it will increase water yield—and I have enough faith in the Forest Service to believe that they can protect the water quality—will increase plant and wildlife diversity.

As a side note to that, there are no threatened and endangered species in this area. There are no plants or animals in this area that require a wilderness-type designation by the Forest Service's study.

In conclusion, the timber industry in Colorado has been on the demise, it is just going out. There were many more mills in Colorado than there are today. And while there are many people on the front range, much more of the State is covered by smaller communities with people that still work and depend on the natural resources for a living.

We think it is not only wrong, but perhaps to the point of sacrilegious to put some areas into wilderness. We fully support the general bill, but we believe sincerely this one particular area deserves reconsideration.

Let us compromise. We appreciate and we endorse the compromise in the release language that was worked out. Let us put the bill together, let us pass it, and let us get on with our jobs.

In closing, there are additional roadless areas in Colorado, some 260,000 acres. We must not forget that these need to also be addressed in a bill.

Thank you.

Mr. SEIBERLING. All right, thank you.

Mr. Jones.

Mr. JONES. Thank you, Mr. Chairman.

My name is Doug Jones. I live in Glade Park, CO, a small community about 10 miles south of Grand Junction. I own a business in Grand Junction known as the Doug Jones Sawmill.

I am here representing the Colorado Timber Industry Association, which is comprised of approximately 65 businesses in and throughout the State of Colorado, that rely on the forests of Colorado for their livelihood.

These businesses range in size from the size of LP down to the small two-man operation. The most typical size of the members of our organization is that of the smaller operation of 10 to 20 employees that are located in the smaller communities supplying the needs of those respective areas.

My history and problems of my own business are very typical of those of the others in the association, and that is probably why they have asked me to represent them at these hearings.

My father started his sawmill logging operation in 1933 at the base of the Sangre de Cristo Wilderness area and then moved to Delta. He has been in business now for slightly over 50 years and he is still operating there.

I was born and raised in Delta, grew up with my father's sawmill business, and decided that this is what I would like to pursue in my later years.

After my primary education, I spent 3 years in the Army, and went back to pursue a career in the logging and sawmill operation.

In 1969, with my father's help, I set up my own business, west of Grand Junction, on a small, isolated mesa, called Pinion Mesa. The area had been cut over around the turn of the century and it was at a prime time to be harvested again, and it was very ideal for the manufacture of railroad ties, which I won't get into. It proceeded quite well in 1969 and early seventies.

Late in the seventies, I started hearing the rumors of the talk about the RARE II wilderness study areas, which really didn't mean a lot to me at that time because the nearest wilderness area to me was over 100 miles away, and I, at that time, couldn't understand why it could affect me in my operations.

I soon found out later that year—the larger company was 8 miles, wound up coming into my, what I thought was my isolated area, and purchased a very large timber sale 2 miles from our sawmill.

This particular sale took what we had anticipated would run us close to 15 years, and they took it in 2 years. Basically, it took our base of operation out of there. The worst part of the thing, although timber was still available from other private landowners in the area—the landowners looked at the situation of a large company coming in, willing to go 85 miles to harvest this lower grade of timber, for railroad ties mainly, that, obviously, there must be a much stronger market for their timber than what they had realized. So the net effect was they felt they should raise their prices.

In the one year, 1979, the average price of my timber went from $25 a thousand to $40 a thousand because of this move.

Although this private timberlands in that area still remain there because of the change of values which these people still have, and will have, until this thing settles a little bit, has forced me to move my operation, which was not our plans. Now I have moved it into Grand Junction.

In order for us to service our mill in Grand Junction, which should be closer to more available timber now, we are going beyond that mill that came 85 miles to come to get our timber—we are going beyond them to get into a small business set-aside sale to keep our sawmill running.

This last winter, our one-way trip to our product was 140 miles that we brought our timber in. But the price—it was a Government set-aside, and it justified the thing. But I hate to think of this as our plight down the road.

Mr. **Seiberling**. The bell means that 5 minutes are up, so if you can summarize soon we would appreciate it.

Mr. **Jones**. OK, sorry to take so long, I got carried away a little bit.

We understand this current issue is settled here that we apparently have a BLM study that is going to be coming up and then we are going to be facing the same problems all over again.

This particular issue may not put anybody out of business immediately. The net dominoing effects, as I tried to explain in my own plight, is what we are really scared of. Therefore, our industry supports the legislation that is the least damaging to our supply of forest products, our livelihood, and we feel that enough is enough.

Thank you.

Mr. **Seiberling**. All right, thank you.

Mr. Kogovsek.

Mr. **Kogovsek**. Mr. Chairman, I don't have any questions .

I want to thank the gentlemen who appeared on the panel. It is good to see Ed Wren, especially. He has worked with us in the past and we have enjoyed our relationship.

But to all four of you, thank you for the work that you have done, not only this year, but in years past. Thank you for becoming part of the compromise that was put together with the help of my subcommittee chairman.

As far as release language is concerned, I think you have done a good job in trying to explain—in explaining to the committee, and it is on record that while we can have wilderness in Colorado, we also have industries that are important.

As Mr. Getches himself said, that industry itself is the No. 1 industry in Colorado, above recreation and wilderness.

You are part of that industry. Some of you have small two-men operations, some of you have large operations. But the timber industry is important to Colorado; the mining industry is important to Colorado; the cattle industry is important to Colorado, and recreation, too, is important.

I think that Colorado is big enough, large enough, for everybody, and that is why I think too often, Mr. Chairman, we get carried away with the amount of acres and we are not sensitive enough as far as actual wilderness boundaries. And if we are careful as to where we draw those boundaries, I think we can make sure that the industry that you represent will be a viable industry in the future of Colorado.

Thank you.

Mr. **Seiberling**. Thanks, I certainly agree with the gentleman that acres alone are not what we are trying to do. We are trying to pinpoint the areas that deserve the kind of protection the Wilderness designation gives them.

Mr. Craig.

Mr. **Craig**. Thank you very much, Mr. Chairman. I will try to get you to remember that last statement when we deal with the Idaho bill. [Laughter.]

It seems we are in a battle of acres, and acres alone at this moment, and that is the real concern.

Mr. **Seiberling**. Oh, well, when you find the areas that need preserving, they add up in acres. That is the inevitable consequence.

Mr. **Craig**. That is always the problem, Mr. Chairman.

Ed, let me ask you a question that relates to a statement you made before this subcommittee some time ago when you were here testifying on the Arizona bill. In your reference to release language, you spoke of the problem being a problem of trust, which I thought was a fairly cogent statement as it related to what we were dealing with at the time, and who trusted who, and what we could accomplish.

I guess the question coming out of that past statement would be, do you think the so-called McClure compromise, or the compromise that Chairman Seiberling, and Chairman Udall, and Chairman McClure were involved in, is adequate, and will it resolve the problem of a lack of trust?

Mr. **Wren**. Congressman Craig, let me comment on that a little bit. I congratulate the chairman of this subcommittee, and the chairman of the full committee, and their key staff aides, principally Andy and Mark Troutwein, as well as the people on the Senate side, who worked long and hard, and under very difficult circumstances, and a lot of hours, to come up with that language.

I guess I am less, maybe Machiavellian is a good word, than other people, I just think you do have to trust people sooner or later. I think that language, hopefully, will take care of it.

Now, there are people who would say to themselves, well, it is not going to and it will never get down to the Forest Service level, and if a particular forest ranger or a particular forest supervisor, or a particular regional forester, doesn't like a company or—I mean, whether it is a timber company—or doesn't like a rancher, they are going to give them a hard time; and they won't allow them, I think the kind of flexibility that is worked out in that language, whether that language be statutory or the report language.

I just think that our relationship generally with the Forest Service has been the fact that, you know, there has to be that trust. And I do believe that that language will allow that to occur, and I also believe—I am one of those people that believe there are people in our industry that don't share my views, but I really don't believe you have to have the year 2000 written in concrete, or whatever year you want to use—1998.

I believe that once these forest plans are finally accepted—and I would have to say to you that I am a little bit irritated that every single forest plan, no matter how reasonable it is put together, there is always a lawsuit filed by the other side, and particular relative to that plan—and it seems like they go the extra step and take it as far as it can go before that plan will ever be final. And Colorado is another example of that.

I think that some of those appeals are ridiculous, and that is our own company's opinion, and that is my own personal opinion. But beyond that, sooner or later, those plans will be accepted, and they will go the gamut of the legal route.

I really do believe that at that point in time—I share Congressman Seiberling's view that those will be in effect for 10 years; and I think that it is going to be very difficult, and some strange circumstances are going to have to occur before those plans are not good for a 10-year period. So that is why I am not—you know, I never needed it set in concrete, saying the year 2000, or 1998, or anything else.

I hope that answers your question.

Mr. CRAIG. It does, and I thank you for that statement.

Conrad, let me suggest when you speak of the area that is of concern to you and your company, and that it in your mind does not meet the wilderness requirements for the protection of certain types of species involved—I say this slightly tongue in cheek, you left out micro-organisms. That may be where your downfall is, in failing to recognize the wilderness characteristics of this particular area.

Mr. RUPERT. To date, they have not found any snaildarters either.

Mr. CRAIG. OK, thank you.

To you, Mr. Jones, I regret you are not recognized as an endangered species. If you were, we would probably carve out a chunk of ground for you too.

Thank you all very much.

Mr. SEIBERLING. Thank you.

I would like to just point out one thing that I think we need to have to keep this in perspective. Somebody mentioned that they were concerned that this was a second round and they thought that the first RARE II bill in Colorado maybe was going to be it.

But I would point out that the wilderness study acreage in the first Colorado bill is larger than the acreage in either the Wirth bill or the Kogovsek bill, and that acreage is tied up until we finish this process.

So it is important to know that we are not engaging in a second wilderness RARE II round, we are merely completing the first one. The question is to how much of that acreage should be in wilderness and how much should be released is the issue before us, really, and I think your testimony is helpful.

All right, if there are no other questions, we want to thank you again, and I appreciate the support for the revised release language. We will continue in the spirit of that and try to work the rest of this out.

We will now recess for lunch until 1:45.

AFTER RECESS

Mr. SEIBERLING. The subcommittee will please come to order.

We will now proceed with panel 2, Mr. Mike Scott of the Wilderness Society; Mr. Mark Pearson of the Colorado Open Space Council; and Ms. Maggie Fox from the Sierra Club.

We will continue putting everyone under the 5-minute rule. Mr. Sloss will work the eggtimer.

[Prepared statements of Michael D. Scott, Mark Pearson, and Maggie Fox may be found in appendix I.]

PANEL CONSISTING OF MICHAEL D. SCOTT, SOUTHWEST REGIONAL DIRECTOR, THE WILDERNESS SOCIETY, ACCOMPANIED BY ALBERT SAMPLE; MARK PEARSON, COLORADO OPEN SPACE COUNCIL; AND MAGGIE FOX, SOUTHWEST REGIONAL REPRESENTATIVE, THE SIERRA CLUB

Mr. SCOTT. Thank you, Mr. Chairman.

I am Michael Scott, Southwest regional director of the Wilderness Society. With me today is Mr. Al Sample, a forester with the Wilderness Society here in Washington.

We are pleased to be here to testify on the bills by Congressman Kogovsek and Congressman Wirth and we are pleased that both of them have shown and expressed an interest in wilderness and in following up on the 1980 Colorado Wilderness bill. That bill as we recall designated some 1.4 million acres of wilderness——

Mr. SEIBERLING. Does Mr. Sample have a statement, too?

Mr. SCOTT. He will be here to respond to questions that may be directed on timber.

Mr. SEIBERLING. Thank you.

Mr. SCOTT. That bill, in addition to designating 1.4 million acres of wilderness, set aside about 8 areas totaling some 730,000 acres-plus for study. H.R. 5470 contains 17 of those areas and H.R. 5426 contains some 8 of those areas. We view H.R. 5470 as a good start at a compromise less than we had asked for but one that we can support and we view H.R. 5426 as less than we can support at this time.

This morning I would like to—actually this afternoon by now, I would like to address three topics briefly. One, the value of wilderness in Colorado; second, the timber values in Colorado in those 18 areas specifically; third, the two deletions proposed from designated wilderness in H.R. 5426.

As we all know, many people identify Colorado with its mountain scenery and while Colorado has only 3 percent of the Nation's wilderness it enjoys some 17 percent of the use of wilderness in this country, exceeded only by California. According to the Forest Service that growth, that use is growing at a very rapid rate at about 7 percent a year and again according to the Forest Service, in about a decade the use of existing wilderness will exceed the available supply.

So we look at this bill as a means of providing for not only the people of Colorado but of the Nation who will be coming to use this area in the future. As we say, wilderness is a dinimishing resource, not one that can be easily replenished. One of the things we would like to—or that is asked many times is how do you value wilderness? The Forest Service has made an attempt to take a look at how you do that and in the Rocky Mountain regional plan they assigned a value of $12 per recreation visit per day, with about 1,800,000 visits to wilderness last year, that would put designated wilderness in Colorado at a value of about $22 million.

If you subtract the cost of administration of that wilderness it reduces only a little down to $21 million. So wilderness in Colorado,

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that is designated wilderness, results in a net public benefit of a little over $23 for every dollar invested by the Forest Service.

If you apply that to the 18 areas that are proposed to be enacted as wilderness, that brings you to about $12 million added benefit. So that recreation use of wilderness is a direct benefit to the State of Colorado both economically and for the spiritual health of the community.

How does that compare to timber? Studies done by the Wilderness Soceity and by Mr. Sample who is here with me today, have indicated that Colorado forests lost 94 cents on the dollar in fiscal year 1982. That is about $95 for every 1,000 board feet and the total lost in Colorado on timber production in the last year was $19 million. Now if we were to designate for timber all the available areas, the 18 areas, we would be cutting about 28 million board feet a year out of them. Those 18 areas would then be losing—using the same formula—$2.3 million per year in timber. That is about a 17 to 1 loss versus a 23 to 1 gain for wilderness designation.

So that I think it would be fair to say that wilderness results in a net public gain not only to Colorado but to the Nation and timbering these areas results in net public loss.

Finally, I would like to turn to the two proposed deletions in Congressman Kogovsek's bill. We are opposed to both of them. The first one is the Copper Creek, so-called Copper Creek deletion by Gothic. That deletion was considered, actually it was in the Senate bill in 1980 to provide a cherry stem up Copper Creek. It was not in the House bill. In the conference report the Senate agreed with the—the House agreed with the—the Senate agreed with the House version and that deletion was removed.

There is an occasional use or occasional travel to the Silver Night mine up that valley but the Forest Service never denied access to our knowledge. There are some 7,000 or 8,000 acres of patented claims in wilderness in Colorado and we continue to believe it appropriate that every time someone needs to go or wants to go to get a patented claim that we should delete that portion of the wilderness.

Finally, as far as Trappers Lake deletion, that was an administrative decision on the part of the Forest Service to say that that area had to be phased out 1 year after the special use permit was granted in 1978. Again we don't believe it is appropriate that legislative deletion be the solution to an administrative problem.

I have a picture I would like to pass around where Trappers Lake is and the boathouse there on the lake. There are other wilderness areas, Bob Marshall, where commercial operations occur in wilderness. In fact section IV-D-(4)(6) of the Wilderness Act contemplates that. We would urge the committee to contact the Forest Service and ask it to change its administrative guidelines rather than propose legislative deletion for a problem that was an arbitrary decision on the part of the Forest Service.

If you look at that in the upper right-hand corner there is a cup shaped meadow where the boathouse is. The wilderness boundary goes around the mouth of the Trappers Lake area which is at the top of the picture.

Mr. SEIBERLING. This is in an existing wilderness?

Mr. **Scott**. In the Flattops Wilderness. The Forest Service originally recommended that the lake be cut in half, the wilderness boundary cut it in half. That was in the late 1960's and early 1970's. The bill that ultimately resulted in enactment of Trappers Lake, both the House and Senate versions had the entire Trappers Lake area in. There was general knowledge and awareness of that boathouse being there. I think that the authors of that legislation believed that as a pre-existing use it would be allowed to continue until it fell down or the owner of the lodge decided to move it.

Since he has done neither we believe that it should be allowed to continue and urge the committee to contact the Forest Service and urge it to reverse itself. It is not a suitable mechanism to propose a legislative deletion.

Thank you, Mr. Seiberling, and members of the committee.

Mr. **Seiberling**. Thank you.

Mr. Pearson.

Mr. **Pearson**. Good morning, Mr. Chairman, and distinguished members of the committee, my name is Mark Pearson, I am here representing the CO Open Space Council this morning. I live in Grand Junction, CO. The Colorado Open Space Council is Colorado's statewide conservation coalition. Founded in 1965, the Colorado Open Space Council now includes 1,800 individual members as well as more than 50 member groups with a cumulative membership in excess of 30,000 Coloradans.

Our proposal is 1.2 million acres, it includes high alpine mountains with 13,000- and 14,000-foot peaks, includes lower elevation, pristine forests currently under represented in the National Wilderness Preservation System, at least in Colorado. It includes remote areas such as in the South San Juans, also includes areas that are close to the Denver metro area and its 2.5 million inhabitants.

It includes BLM and Forest Service areas.

At this point I would like to introduce into the hearing record and also for each of the members of the committee, a copy of our proposal with discussions of the boundary differences between the two bills. I would like to pass up to any members of the committee that have not yet received copies in Colorado or showing the boundary differences between both H.R. 5426 and H.R. 5470. We believe this enhances the utility of forests, water protection is one of the values of wilderness.

H.R. 5470 provides protection for municipal, agricultural, and recreational uses of water through designation of watersheds such as Oh-Be-Joyful, a secondary watershed for Crested Butte, the upper Huerfano River Valley, which is important to downstream communities and agricultural users; and the Piedra River which are protected in H.R. 5470 which is a very popular recreational and wildlife river.

Wildlife is benefited by wilderness designations in H.R. 5470. Service Creek, Fossil Ridge, Piedro River, and Buffalo Creek have outstanding wildlife habitat that would be benefited by wilderness designation.

Wilderness, demand for wilderness recreation is increasing at an astronomical rate in Colorado. Seven percent per year statewide and demand is expected to outstrip existing capacity in the next 13 years. Buffalo Peaks, St. Louis Peak, Vaskes Peaks, and Lost Creek would all go a long way toward meeting this demand.

There are a couple of specific areas I would like to address that are on H.R. 5470. One of them is in both bills and it is Service Creek and I would like to hand up a photograph of Service Creek for people to look at. The one of Davis Peak is also going up there, too. Service Creek as you can see is a low-lying area, it is all below 10,000 feet. One of the reasons we think it is so important to protect it is because it is a low elevation pristine forest. We feel that it would greatly help to meet the intent of the 1964 Wilderness Act to designate Service Creek, the 1964 act, the idea there was to have representative samples of all ecosystems and Service Creek is an area that is not well represented in the system in Colorado.

There are two major boundary differences between H.R. 5426 and H.R. 5470 with respect to Service Creek. This map up here shows those if you can see it. The major differences are in the headquarters of Service Creek, H.R. 5426 leaves out about the last mile at the top of Service Creek; we feel it is important to have the entire drainage all the way to the top included within the wilderness so that development activities don't occur at the top of the watershed which will degrade the wilderness lower downstream.

The other major difference is up at the headwaters of Harrison Creek, H.R. 5426 does not include both slopes of the drainage whereas H.R. 5470 would include the entire upper drainage.

The other area which I would like to discuss is Davis Peak which you have a picture of. Davis Peak is important to round out Mount Zirkel Wilderness which would provide protection for both the West Fork and Main Forks of the Encampment River which presently are not within the Mount Zirkel Wilderness. It would add a number of open parks such as Stump Park and Diner Park and generally include a number of recreational trails, would add them to the Mount Zirkel Wilderness and hopefully spread out the areas, the use in that area and alleviate overuse occurring in particular areas of Mount Zirkel.

We think it is a very important thing that Davis Peak be added to Mount Zirkel.

Thank you for the opportunity to appear.

Mr. SEIBERLING. Ms. Fox.

Ms. FOX. Good afternoon, Mr. Chairman, distinguished committee members, Mr. Kogovsek and Mr. Craig. I am Maggie Fox, and I am the Sierra Club regional representative. As a Sierra Club in the Southwest it includes the four corner States, New Mexico, Arizona, Nevada, and Colorado.

I am here today in general to present the views of the over 7,000 members of the Rocky Mountain Chapter in Colorado and specifically to speak as a member of the Indian Peaks group in Boulder, CO.

The Indian Peaks group would like to thank its Congressman Tim Wirth for introducing H.R. 5470. We feel that Congressman Wirth took an important step in introducing this strong wilderness bill. His actions broaden debate here in the House of Representatives and are we think an accurate reflection of the sentiments of his constituency.

The passage of the 1980 Colorado Wilderness Act was a landmark occasion for Colorado conservationists and a source of great pride and satisfaction to the Colorado Sierra Club members as well as to the members of the delegation who worked so hard to put it together.

There were several questions left unanswered by the passage of that act.

Colorado conservationists put together a statewide proposal of approximately 1.2 million acres to be considered for this second look by Congress. While we would like to see the 527,000 acres not in H.R. 5470 included in the bill, we think that it fairly resolves most of the issues of wilderness designation within those areas placed in further study in 1980.

H.R. 5470 is comprehensive in scope, placing under wilderness protection such popular areas as Lost Creek, an 11,500-acre addition to the Lost Creek Wilderness southeast of Denver to the gem of the West Elks Range, Oh-Be-Joyful to the limestone escarpment of Fossil Ridge with its alpine lakes and steep forested slopes. Indian Peaks Group Sierra Club members are acutely aware of the growing need for additional wilderness in the State of Colorado. Just recently the headlines of the Boulder daily newspaper carried front page headlines announcing a mandatory computerized permit system for camping in the wilderness this summer. While many in the area decry the need for such measures, few will ever deny that it is necessary.

Additional recreational opportunities, especially primitive recreation, best offered in a wilderness setting, are sorely needed to meet the ever-growing demands for both Colorado residents and out-of-State visitors. For this reason and because of its outstanding wilderness qualities the Sierra Club would like the committee to note its support for inclusion of the Williams Fork further planning area in H.R. 5470 and H.R. 5428, Congressman Kogovsek's bill.

Williams Fork is but an hour's drive of the Denver metropolitan area and is a very special place for Sierra Club members. We assert that the conflict in the area with the Denver Water Board can best be solved by the water board constructing diversion facilities downstream and outside the boundaries of the roadless area rather than inside as is currently planned.

This would still enable them to satisfy Denver's need for water yield. We would also very much like to thank Congressman Kogovsek for his commitment to bringing the wilderness study areas and further planning areas left over from the work of the 1980 bill back to Congress' attention before his retirement. While we are disappointed by the exclusion of a number of spectacular areas from H.R. 5426, that we feel has significant wilderness values and minimal resource conflicts, we continue to be willing to work toward resolution of any conflicts to place those areas under wilderness protection.

Mr. Chairman, there are several wilderness activists here this afternoon to testify on the merits of specific areas. I will defer the remainder of my time to those witnesses. I thank you on behalf of the Sierra Club for this opportunity to testify and would be happy to respond to any questions you might have. Thank you.

Mr. Seiberling. Thank you.

I don't have any questions. I appreciate very much your testimony.

Mr. Scott, your prepared statement lacks a page 5 in the copies.

Mr. SCOTT. It was something——

Mr. SEIBERLING. Maybe you could supply that later.

Mr. SCOTT. I notice the beginning of that page which talks about deletions from H.R. 5426 is deleted from my testimony so I will make sure to get that to you.[1]

Mr. SEIBERLING. Thank you.

Mr. Kogovsek.

Mr. KOGOVSEK. Thank you, Mr. Chairman. I thank the members of the panel for their testimony and hard work in this area. I thank you for the work that your organizations have done in the short amount of time I have been in Congress as we worked together in 1980 to put together what was a compromise bill then, and I appreciate the fact that you are willing to work toward a good bill in 1984.

I have a couple questions. Mark, you first.

You both indicated that demand for wilderness in Colorado is increasing at a fairly rapid pace. Why do you think that is?

Mr. PEARSON. It is documented by the Forest Service's region II regional guide that they estimate it is 6 to 7 percent annual increase. I think the demand is increasing because of the increase in population in Colorado.

Mr. KOGOVSEK. Where is that increase happening?

Mr. PEARSON. Generally along the front range, but in my town, Grand Junction, sometimes it grows a lot and sometimes it doesn't.

Mr. KOGOVSEK. Predominantly the growth is taking place in the Denver metropolitan area, Colorado Springs, Boulder, in that area.

Mr. PEARSON. Yes.

Mr. KOGOVSEK. Mike, you would concur with that?

Mr. SCOTT. I think so but given that a good portion of the use of the wilderness in Colorado comes from out of State as well, that it would be difficult to pinpoint where all that use is coming from. As the Colorado Mountain Club pointed out in a study they did on looking at one peak register in Colorado over a summer period they found some 7 nations and 43 States represented in that peak register.

Mr. KOGOVSEK. I am sure that is true.

Mr. SCOTT. It is very difficult to pinpoint it.

Mr. KOGOVSEK. I think we can all agree that people move to Colorado for the clean air, the beautiful scenery, wide open spaces. They generally want to live in Denver because that is where the transportation access is and I am talking about most of the people who move either because of high tech industries moving in there or any industry is moving in there.

They want to live in Denver because they have access to transportation, to the nightlife, and whatever other excitement and activity people generally want. They don't move to Denver to enjoy the smog and high crime rate, the traffic in the evening and so on.

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[1] EDITOR'S NOTE.—Page 5 referred to above by Chairman Seiberling, as missing from M. Scott's prepared statement had not been supplied to the subcommittee at time of printing. The remainder of Mr. Scott's statement, nevertheless, will be printed.

But they want to be able to get over to the Third Congressional District and have access to wilderness, hiking, et cetera. I guess what I am saying, Maggie, is when you say Congressman Wirth is representing his district, we have to remember that none of the wilderness that is being proposed in his bill is in his district.

There are people who want to have wilderness and they should, because as I said earlier Colorado is big enough to take care of most of the needs of people who want to move in. I am happy to hear you say that you have recommended that Williams Fork be included as wilderness.

Ms. Fox. Yes.

Mr. Kogovsek. What is your position on that, Mark?

Mr. Pearson. We have supported Williams Fork as well as five other roadless areas.

Mr. Kogovsek. Have any of you had a chance to talk to Congressman Wirth about that and what is his position?

Mr. Pearson. We mention it most every time we get a chance to talk to him but he has not yet put it in the bill.

Mr. Kogovsek. I don't know what his position is but I would indicate to you that probably Williams Fork will not be put into wilderness basically because the Denver Water Board and a lot of other people want to have enough water to continue the growth in Denver and so here we have a problem that I as an eastern slope representative who happens to represent the western slope has, and that is people will continue to move into the Denver metropolitan area and there will continue to be a demand for wilderness as long as Denver, and Colorado Springs, and Aurora, and so on have the water to continue growth.

All of a sudden you have a group of people on the west slope who also are trying to maintain a living. I understand the importance and worth and I commend you for the job that you have done in telling us just exactly how much wilderness is worth to Colorado as an industry, the dollar figures. But there is timber there, and a mining industry, and cattle industry, and these are industries that have been in Colorado for over 100 years and there are those people who would continue, would like to continue to be active in those industries.

I am saying that once again, in certain areas of the bill—that is why we left out certain areas—we would in fact adversely affect those industries if we put wilderness in a couple of the places you suggest.

We will be talking about them as we mark up the bill. I want to continue to work with you. But keep in mind that the Third Congressional District, where 98 percent of the wilderness that we are talking about is located according to both of these bills, at the present time doesn't have any Congressman living on the western slope. That will probably change in the next election.

Will that change for the better or worse? But as a person who represents the western slope I want you to understand the position I am in that while Tim Wirth might represent and is representing very well his district and the people who live there, I have to represent the people that live in my district also, both the environmentalists and the people who have made a living there for many years.

Mr. **Scott**. Congressman Kogovsek, I don't think any of us are trying to deny the reasonable existence of any industry and certainly not the timber industry, mining industries, grazing industry, they all have parts to play in the economy of Colorado, and I think that we, as you are, are advocating or trying to strike a balance between what should be wilderness and what shouldn't.

In some cases you strike it in favor of development, in some cases in preservation.

Mr. **Kogovsek**. That is all I have, Mr. Chairman.

Mr. **Seiberling**. Thank you.

Mr. Craig.

Mr. **Craig**. Thank you, Mr. Chairman.

I apologize for not being here for all your testimony but let me if I can, Mr. Chairman, have a bit of a colloquy with all of the witnesses about something that concerns me. It concerns me because in part it is true and in part it is not true.

It was spoken of or spoken to, I think, in your testimony, Mr. Scott, as it relates to the deficit sale, or subsidized cost of timber as it is referred to. Our chairman has had some papers presented that I could argue in part are valid and I would argue in part are not valid based somewhat on my own perspective as it relates to how we allocate costs in our public lands.

Historically we have taken revenue from certain types of practices that our Government thought were wise to allow private industry or private people to engage in on public lands. I am talking about mining, timber, and grazing. We put a cost on them. A price tag is put on them, for whatever purpose, some of it has a fixed price, such as in the case of grazing. In other areas we oriented it to the market on a timber sale, for example, with a bid approach and therefore a more of a market-oriented approach.

That I think has an historical perspective to it primarily because that is how we originally viewed the value of our public lands in the very early portion of our history. As the Forest Service was instituted, it was instituted, in large part, for the purpose of managing timber on public lands.

It was also to allow an employment of harvesting and reforestation so that we would have a perpetual forest products industry for the good of Americans.

As a result, we have tended to still look at those cost figures. But, we have taken the overall cost of the forests in many instances and we have tried to apply them to those costs so we can come up with figures like 95 cents for every dollar or 94 cents for every dollar.

We now know that we use our public lands for a great deal more than just growing trees and our public and your testimony here today have said, no, we want more from our public lands than just the growing of trees, mining of the minerals, or grazing of cattle. I should say the grazing industry, cattle and sheep primarily.

I think the method by which we allocate costs bear me out. We tend to look at it from the historic perspective. We do not allocate a cost per backpacker and yet we have said that is an important part of the overall use.

We have not allocated a spread cost to a timber sale road, although others use the road, such as campers, fishermen, and snowmobilers to gain access. Cross-country skiers use it if it is open or they use the road itself if it is closed. So especially in the last 20 years, as the American public's interest has moved in the direction of the outdoors and its desire to experience the opportunity that outdoor living provides—Colorado has to be a prime example of that—we know we now want other uses for our public lands.

Would you suggest to me, or would you be willing to say it is time we reevaluated the overall method by which we administer our public lands from a cost standpoint to the taxpayer? Is it not fair that we allocate costs in a slightly different way? We say that because the backpacker in Colorado now represents an industry and even you folks are willing to discuss wilderness now as an industry.

Many of the environmental groups in my State argue that wilderness is a very important growth industry for my State, that it brings tourists, and they spend money. However, they are not willing to allocate a cost to that industry as it relates to the use of public lands.

For some reason they think they can use it free of charge. But in the traditional industries of my State, your State, or any public land State, timber, mining, and grazing entities, cannot use it free of charge. We have allocated a cost to them.

Now we are using an antiquated accounting system against the industry or industries. I guess my comment to you would be, let us be honest with ourselves. Do we really believe we backpack free? Do we really believe we hunt and fish free? Do we really believe the only reason we have forest rangers and those kinds of people to manage public lands are for trees and, therefore, we take the cost off against trees, or against mining, or against grazing?

Or do they—as the law clearly proves out—do a myriad of other things from the policing of traffic, if you will, to the maintenance of campgrounds?

Mr. Chairman, I have gone through my time. But, I would like to have them respond because I think it is a very important issue that is now being used in a very false way against traditional uses in support of what you will now admit is an industry in itself. You are willing to place a dollar value on it, to enhance your argument for wilderness.

Mr. SCOTT. Congressman Craig, I would like to respond to a portion of that and I think Mr. Sample would like to address a portion of that as well.

You are raising a couple of philosophical questions as well. I think that one basic question is, is it a difference you might make to yourself, or your family, or children of walking in the forest for whatever values they may associate with it? They are not there using the forest and using the products of the forest in a sense to make a living. They are not taking things out of the forest. They are, as I guess "Smokey the Bear" says, leaving only footprints and taking only pictures.

There is a difference there between someone, someone entering for those purposes and someone who is asking of the public domain a piece of that public domain to take out, for instance, timber, or minerals, or things like this. I think that there is a philosophical question about whether or not it is appropriate to allow those people who are removing things from the forest, and as a fisherman—and I am an avid fisherman and my license went from 7 to 11 bucks——

Mr. Craig. Good for Colorado.

Mr. Scott. In part for stocking—even though I don't keep fish, I let them go—they are still there, and there are some user fees you pay like that. But the question is—just to finish—is what about those people who are taking minerals out, who are taking timber out, who are actually taking a piece of the public domain, should not there be a test applied that they at least break even, that they at least bring back to the Federal fishery what they put into it.

That is just a philosphical question. We as Americans are dedicated to the proposition that whether you are rich or whether you are poor that you have equal access as well. We are fond of looking at the public domain as a great heritage. I think one of the problems that you get into in terms of talking about, well, shouldn't everyone pay their own way for the recreational opportunity of going into the parks and things, quickly you get to a system that we had in feudal times in England where only the rich could afford to go on to the public lands.

There is that philosophical problem there. Whereas, someone who is coming in purportedly as an industry it is not unreasonable to say, look, if you are going to exist as an industry we are going to charge you what it costs to actually cut timber, we are going to charge you a severance tax which doesn't exist in the hard rock industry on the public lands, for instance, in order to enjoy that privilege of using those lands.

Mr. Craig. How do we then justify in an NRA in my State—let me tell you it is a beautiful piece of property, we call it the White Clouds and it will be wilderness after we get through with the Idaho Wilderness bill and it deserves that status—the costs of hauling out by helicopter of 22 tons of human garbage left there last year by backpackers who enjoyed that recreational experience? The taxpayers of the country paid for it and the backpackers got off free, scot-free.

Mr. Scott. In some parts the backpacker is a taxpayer as well, but I don't argue that that is correct. That is not right that people leave their trash in the back country for others to pick up.

Mr. Craig. That timber company that buys timber has certain requirement to remove its garbage at the cost of the timber sale, whatever that garbage is.

Now, also, I would argue to you I enjoy backpacking, I don't get enough time——

Mr. Seiberling. I hope you make the argument brief.

Mr. Craig. I will, Mr. Chairman, but I think it is important we establish this for the record because I think we are badly skewing the argument. We need to start a new attitude and a new viewpoint. I think we could probably all agree with it if we worked it out but now we are not attempting to work it out. We are attempting to use it for one reason or another.

Backpacking is a recreational experience to me, a very valuable one for a variety of reasons. Skiing in an organized ski area, quote, "a developed ski area," is also a valuable recreational experience for me. Backpacking currently is free of charge to me, although I do drive up logging roads paid for by the logging industry to get to areas in which I backpack in.

But I pay maybe $9 or $10, $12, or $14 to ski. Now it would be difficult to argue that the experience of wilderness is something you don't take with you out of the wilderness area. I think a good many people in your organizations agree they take a great deal from the wilderness experience. They take peace of mind, a reduction in stress, they take a recreational opportunity parallel to none and they are willing to pay a price to get there to use it.

But, once they get there they expect it to be free. I think we have badly skewed the overall approach. Why don't we umbrella the cost of the management of public lands, allocate accordingly, and stop using these kinds of phoney arguments, especially if the environmental community is now willing to call wilderness an industry. That is a unique new one for me, but I think they have to use it to bolster their argument.

So it is either an industry or it isn't. If it is an industry it has a dollar value. That is my point and I really do believe we deserve to discuss that in a much broader framework in the coming years and when we look at the methods by which we allocate costs on our public lands.

Thank you, Mr. Chairman.

Mr. SEIBERLING. Thank you. I would point out that I do feel that the figures shown on page 2 and 3 of the Wilderness Society's statement are to some extent comparing apples and oranges. It would be interesting to have a comparable figure.

For example, I presume that the $12 visitor day value for wilderness is based on the amount of business that the wilderness users bring to the area. Is that right?

Mr. SAMPLE. No; it is what is known as a travel-cost method that Congressman Craig referred to a moment ago. It is based on what visitors spend getting to the area.

Mr. SEIBERLING. That is what I am saying, it is what they spend traveling and buying things locally as well?

Mr. SAMPLE. Actually the $12 is only travel cost and the figure—this is the figure that was used by the Forest Service as a value of a recreational visitor day in their 1980 report.

Mr. SEIBERLING. That is a value that goes to some business somewhere?

Mr. SAMPLE. No; these benefits are not figured in. If the secondary benefits were figured it——

Mr. SEIBERLING. I am not talking about secondary, I am talking about primary. If $12 goes to the airline or service station or somebody, that is $12 in his pocket, right?

Mr. SAMPLE. That is right.

Mr. SEIBERLING. So that is what it is based on?

Mr. SAMPLE. Yes, I think that would be fair.

Mr. SEIBERLING. When we get to the costs of operating a national forest you are only talking about the cost to the taxpayer versus the receipts to the Forest Service, right?

Mr. SAMPLE. The costs there are the direct costs to the Forest Service.

Mr. SEIBERLING. What about the amount of money that is spent by the people who are cutting the timber in payments to people, to workers, payments to local merchants, et cetera? Should that not be included in fixing the benefits? You are comparing apples and oranges here otherwise.

Mr. SAMPLE. Not really. Those costs that you are referring to are actually taken into this and without going into a lot of detail about how the Forest Service prices its timber, they have a system whereby they have a stumpage value for the timber and then they subtract from that a whole series of costs to the timber purchaser including salaries to the loggers, transportation costs, milling costs, all of the costs associated with harvesting and transporting that timber from the national forests to their sawmill.

Mr. SEIBERLING. In other words you are saying that all of those costs are subtracted from the stumpage fee?

Mr. SAMPLE. That is right.

Mr. SEIBERLING. So in effect they are taken into account. Well, I think that is very interesting. I still think maybe these could be put on a more comparable basis in presenting the comparable costs, because all I gathered when I read this was that there was a return of 6 cents on the dollar to the Federal Treasury, but that is not—but that is not the same thing as the return that you are figuring in and the value per visitor day of forest use. That is a return to some other person, not the Federal Treasury.

Mr. SAMPLE. That is right.

Mr. SEIBERLING. So I just think that you are comparing apples and oranges. I do think that an argument can be made that wilderness saves the taxpayers money in terms of direct outlays in many cases because it avoids a deficit sale, but it would be very complicated to figure out the total value as being subsidized by running a national forest for logging purposes.

Mr. SAMPLE. Congressman Craig referred to a historical perspective in this and referred also to an antiquated accounting system. The Forest Service itself has been trying to deal with this. They began as an agency that dealt primarily in timber management and timber production and later on became more of a multiple-use agency following the Multiple Use Sustained Yield Act. The economics of timber production and of their other programs became a concern in the years following that and was directly addressed in the National Forest Management Act, specifically the economics of timber production. When it was brought up before the Senate Interior Committee at the time, in 1975, and this was explained to them, I believe it was Senator Talmadge referred to this as idiot forestry where you could not expect to get back what you were spending on it. He himself was a private landowner and said look if I was not going to get back what it costs me to sell my timber——

Mr. SEIBERLING. I think the point is well made that if a lot of these lands were privately owned they would not be logged because the cost would not justify it. You did subtract the administrative costs of operating the wilderness areas from the net value of the per visitor day. I think we have prolonged this discussion probably as much as it deserves at this point, and we have someone who has to catch a plane, so I am going to rush along.

Mr. SAMPLE. Mr. Chairman, I would just say that I have tried to make the costs and benefits between these two tables as comparable as is possible, and the methodology that I have used is the same as used by the Forest Service in their financial planning process.

Mr. SEIBERLING. The way it was presented, I did not get that first impression. Thank you very much.

We will now take the next panel and start with Mr. Lee Spann, representing the Colorado Cattlemen's Association, and Walter Wise, accompanied by Arne Ward, chief geologist for AMAX Henderson Mine, CO, and Larry McDaniels, landman, Colorado Plateau Province, Atlantic Richfield Co., and Mr. Courtland Lee, Minerals Exploration Coalition.

[Prepared statements of Lee Spann, A. Walter Wise, Larry McDaniel, and L. Courtland Lee may be found in appendix I.]

PANEL CONSISTING OF LEE SPANN, REPRESENTING COLORADO CATTLEMEN'S ASSOCIATION; A. WALTER WISE, COUNSEL, AMAX EXPLORATION, ACCOMPANIED BY ARNE WARD, CHIEF GEOLOGIST, AMAX HENDERSON MINE, CO; LARRY McDANIELS, ARCO EXPLORATIONS; AND L. COURTLAND LEE, CONSULTING GEOLOGIST AND WASHINGTON REPRESENTATIVE, MINERALS EXPLORATION COALITION

Mr. SPANN. Thank you, Mr. Chairman. I appreciate the opportunity to proceed. I do have a plane to catch.

Mr. Chairman and members of the committee, my name is Lee Spann. I ranch on both public and private land in the Gunnison area. I am before you today representing the Colorado Cattlemen's Association and its Federal Lands Committee.

Our participation goes back to the original Wilderness Act of 1964. We hope this is the last round. Our interest in this issue is very direct.

Our livelihood and our ability to operate our ranches as viable economic units is tied directly to the use of public lands. Likewise, the tax base of our counties and the economy of our local merchants is directly affected by whether or not we maintain a viable livestock industry.

While grazing is permitted within the boundaries of wilderness areas, experience has shown that cattlemen operating within wilderness areas face conditions under which they must manage their livestock that make it more difficult to continue to operate from an economic as well as management standpoint. For that reason we are very concerned about being able to mitigate the impact of wilderness area designations on grazing.

We have made an attempt to identify the respective impacts of H.R. 5426 and H.R. 5470 on ranching and livestock. H.R. 5470 affects 49 cattle grazing allotments and 58 ranchers grazing over 10,000 cattle, whereas H.R. 5426 affects only 24 cattle-grazing allotments and 24 ranchers grazing 3,100 head of cattle. These effects vary from very slight to 100 percent. I would like to submit for the record a summary by area of the allotments affected and how they are affected and ask that they be printed in the record.

With regard to this I would like to make a correction on these. This is in the Oh-Be-Joyful area. It states that there is a vacated sheep permit. That is not correct. There is a 700-head cattle permit in effect there now, 50 percent of which is on the Oh-Be-Joyful area. I have also available individual maps showing how each grazing allotment is affected by the two bills, and I will make these available to the committee staff if desired.

An important issue that we believe should be clarified by this committee is the meaning of the Wilderness Act language that livestock grazing where established prior to an area being made wilderness shall be permitted to continue. Unfortunately at the present time, there are a number of grazing allotments in the areas covered by these bills that are temporarily not being grazed because of current economic conditions. These remain on the Forest Service books as designated grazing areas and are expected to be grazed again when sheep and cattle prices improve. We believe the intent of the law is to not introduce grazing where it did not exist previously, and we do not think the word established should be taken to mean that livestock grazing had to be literally occurring on the day of enactment. As a matter of fact, grazing is commonly seasonal, so too literal an interpretation would not be commonsense. Because of confusion in the Forest Service regulations, however, we urge the committee to clarify this issue so that grazing is not precluded from any of these areas added to the National Wilderness Preservation System just because of a temporary situation.

The grazing guidelines established by the 1980 Colorado Wilderness Act have been very helpful in solving some of the previous problems experienced by grazers in earlier wilderness areas. We urge the committee to restate these guidelines in this bill so that there can be no question of their application and to expand them to include the clarification I mentioned previously concerning vacant allotments.

In conclusion I would like to emphasize two things. No. 1, that we are indeed concerned about the continued creation of wilderness areas. H.R. 5470 continues to hold the specter of future wilderness considerations by creating a nonwilderness wilderness in the Williams Fork area. That area is to be managed as a wilderness area but is not given wilderness designation. By not releasing this area from consideration, one can only assume that somewhere down the road Congress will again be considering this area and should be the last and final round of wilderness legislation for Colorado.

I would conclude by saying that H.R. 5426 would have less effect on grazing in Colorado and we strongly favor this proposal over H.R. 5470. H.R. 5426 represents a proposal that the committees can work with and we appreciate this opportunity to present our views.

Mr. Chairman, I also have a statement from the Colorado Wool Growers that I would submit to the record.

Mr. SEIBERLING. We will be happy to put it in the files of today's hearing record.

Mr. SPANN. Thank you, sir.

Mr. SEIBERLING. Mr. Spann, I am pleased to hear that the guidelines have been helpful. I think your point about perhaps defining what it means by grazing established prior to an area being made wilderness, that it would probably be a good idea if it is feasible and we will look into that.

Mr. SPANN. Thank you, sir.

Mr. **Seiberling**. I must say I have some concern about the levels of grazing that are permitted generally on the public lands, and in wilderness areas some of the levels that were permitted, particularly by sheep, if carried on in a wilderness area could really be destructive of the wilderness value. But that is a matter of looking at the grazing regulations rather than wilderness, but I think that we are going to have to tackle that sometime in the next year or two, and that is coming up again after we get the report from the BLM. I think we should look at the national forest grazing regulations at that time.

I have no further questions. Mr. Kogovsek.

Mr. **Kogovsek**. Thank you, Mr. Chairman. I would like to welcome Mr. Spann to Washington and thank him for his help in putting this together. Remember how important the Colorado Cattleman's Association and the National Cattleman's Association were in putting together the 1980 bill?

I do not have any questions. Let me just ask one, I guess. It is the position of the Colorado Cattlemen's Association that they would rather have no bill at all, but if there is a bill you prefer the Kogovsek bill over the Wirth bill?

Mr. **Spann**. That is right.

Mr. **Kogovsek**. Because it affects less cattle and less acres?

Mr. **Spann**. Yes, sir.

Mr. **Kogovsek**. No further questions, Mr. Chairman.

Mr. **Seiberling**. Thank you.

Mr. Craig.

Mr. **Craig**. I share a couple of brief questions. Welcome to the committee. Referring to the concern you expressed about existing but unfilled allotments, did that situation occur when the 1980 legislation was passed, and has it been a problem if it did exist at the time? I know the economics of the industry were a little different at that time compared with now, if it did exist.

Mr. **Spann**. They were much different. There were some but none that I was aware of at that time. The primary concern now, there are several sheep allotments and a few cattle allotments that are actually vacant. You designated the use between nonuse and vacant, and you can only take 3 years of nonuse and then you must vacate the permit. Stockmen at this time have taken the 3 years and the permit is vacated but they are holding it, and if this legislation moves it will move on to the permits that exist and they will be unable to go back on.

Mr. **Craig**. Let me ask you a question which is of concern to all of us, and to the credit of our chairman who has worked hard to try to mitigate problems relating to the 1964 act and its language for grazing, and what has actually happened on the land once it became wilderness with existing grazing permits as to the difficulty of management. The reason I react to that—because it is difficult for this committee to understand unless you are on the ground on a regular basis—is because I come from a ranching background and watch those things very closely. I usually see attrition begin to start when you have got about a 700-head allotment or a 10,000-head allotment. It goes into wilderness and then you see a progressive drop in numbers.

What has been the history in Colorado since areas have been designated wilderness as it relates to areas that had grazing on them? Has that grazing continued effective at the same number level consistent with Forest Service regulations, of course, and all their grazing programs?

Mr. SPANN. Mr. Craig, since 1980 when the guidelines that I mentioned were put into effect, and these also carried on into the Forest Service manuals in Colorado, grazing there has stabilized a great deal in the wilderness areas. The local people, the rangers and the stock growers in those areas were able to read the regulations and arrive at a consensus of what should be done on the ground. From 1964 until 1980 the local people, the forest people were afraid to do much in the wilderness area, and the ranges at that time were deteriorating, and this is one thing that prompted us to urge that the guidelines be incorporated into the act in the report language so that the local people would feel free to operate those ranges on a more progressive basis.

Mr. CRAIG. That is good to hear. I am told that Senator Goldwater may attempt to put in the Arizona language reference specifically to the use of motorized vehicles as they relate to the industry management of herds, and of course all the necessary things that have to go on from salting to water facility maintenance. How would you react to that?

Mr. SPANN. I feel that the guidelines that were incorporated in the system that is presently being used are working. The permittees, if they desire, may go to the Forest Service and get permission to get access to those areas that they used before, but when they came under the wilderness area they could no longer. They may under these guidelines remove the sick animals, make a trip to haul salt. It is not a continuous thing, but it is I felt a balance between what the stockmen needed and what the strict wilderness advocates needed. It was a compromise, we are working with it and they are, and I have had no complaints or very few problems with it.

Mr. CRAIG. That is awfully good to hear. Thank you very much for your testimony.

Mr. SEIBERLING. I am really pleased to hear that too and I would hope Senator Goldwater would not do that, because that would disrupt the balance that we thought we had achieved when we negotiated those guidelines.

Mr. KOGOVSEK. I wanted to ask—he asked for a correction I believe in regard to Oh-Be-Joyful. What were the number of permitted cattle or sheep?

Mr. SPANN. There are no sheep. It is now a cattle and horse allotment. It is a 700-head permit and 15 percent of that is being utilized in the allotment.

Mr. KOGOVSEK. Thank you.

Mr. SEIBERLING. Thank you. If there are no further questions, Mr. Spann, we will wish you well on your way. We appreciate your testimony.

We will now proceed with the other members of the panel. Mr. Wise.

Mr. WISE. Chairman Seiberling, Congressman Craig, and Congressman Kogovsek, I am pleased to be here. I represent AMAX

Exploration. My colleague Arne Ward, chief geologist, is along with me to address some of the more technical information about mineral values in some of the proposed areas.

AMAX is a diversified natural resource company. We have operations worldwide and are particularly active in exploration in the Western United States. We appreciate the opportunity to present our views because in our view the decisions that will be made in this subcommittee and subsequently in the legislation are going to have far-reaching effects on the company, the local community, the State of Colorado, and the Nation.

We have studied both bills being discussed. On balance we believe that Congressman Kogovsek's bill represents the best balance of the competing interests between wilderness and multiple use. Due to the time limitations I will restrict my comments to administrative matters and allow Mr. Ward to discuss some of the mineral concerns.

The first concern we have is that regardless of what bill is adopted, we think that clear and direct release language should be included in the bill. The Colorado wilderness bill of 1980 was a good step in that direction. We think that the current compromise language in the Idaho bill adds additional clarification.

Mr. SEIBERLING. We intend to include that in all the bills reported out.

Mr. WISE. That is good. It will be both for industry and to the Forest Service. AMAX is primarily concerned about the amount of known highly mineralized ground that is being proposed for designation as wilderness which basically ties up the ground and makes it unavailable for exploration or development indefinitely. I will not go into the need for a sound mineral base. I am sure you have heard those discussions numerous times, but I think the issues are the same and tying up lands in wilderness where we simply cannot explore on them will have consequences for at least this generation.

My geologists and engineers tell me that it would be at least 10 to 20 years even in the event of a crisis before they could get into these areas and get the minerals that might be needed out of them. AMAX is not opposed to wilderness designation. AMAX would like a balanced approach to wilderness designation.

I now would like to make some specific general comments about some areas proposed for designation. The first three of most concern to us are the three surrounding the Henderson mine and mill. The map depicts the Vasquez, the St. Louis Peak, and the Williams Fork proposals. As you can see, these areas basically surround the existing facilities that we have already in operation. The Henderson mine is the world's largest, most efficient molybdenum mine, and designation of these areas as wilderness would make it difficult or impossible to expand or develop those facilities further, although continued operations could probably coexist.

Our concerns are in the area of the Clean Air Act and also the ability to trade land with the Forest Service. We have recently completed a land exchange at the Climax mine where additional facilities were needed for environmental protection and for mine development. If wilderness areas had been this close to Climax, I do not think we would have been able to conduct that type of expansion. In addition we are concerned that designation of wilderness areas this close to existing facilities will make the development of minerals in those areas, which might be marginal, absent existing infrastructure simply uneconomic. That is, there may be minerals in these areas and no one yet knows, that would be submarginal without existing infrastructure of a mine, and by designation of these as wilderness areas they simply would not be available for development.

Another area of concern to us is the Oh-Be-Joyful area. This area has been considered and reconsidered, considered in RARE I, RARE II, it has been considered again at congressional mandate and the USGS has been in the area. Each time it has been rejected not only by the Forest Service but by the local county commissioners, the ranchers of the area, and the miners. These rejections have a basis. For example, the area simply does not meet the wilderness criteria. It has a road running down the middle of it, it has substantial former mineral disturbance, and it has very high mineral potential as the USGS has discussed. The Forest Service has concluded repeatedly that it is not suitable, and it is our position that it simply is not suitable.

Finally we are concerned about the Williams Fork further study area which is a hybrid form of management calling for continued maintenance for wilderness values but permitting water development. We believe that this is an unfortunate precedent and is bound to create only additional disputes, complicating Forest Service management problems and inviting litigation. The Forest Service recommendation for this area is as unsuitable for wilderness and we support that recommendation.

Thank you for the opportunity to speak.

Mr. SEIBERLING. Thank you.

Mr. McDaniel.

Mr. McDANIEL. Mr. Chairman, Representative Kogovsek, thank you for the opportunity of letting me speak today. My name is Larry McDaniel. I work for ARCO Exploration Co., an operating company of Atlantic Richfield Co. Atlantic Richfield is primarily a domestic producer of oil and gas and minerals. Therefore, we are very concerned with the management of our Nation's public lands. We believe it is essential for Congress to decide on a Colorado wilderness bill which will provide a balance of multiple uses.

As a result of previously enacted legislation, Colorado already has over 2.6 million acres of wilderness. Another 500,000 acres were designated wilderness study areas in 1980. An additional 170,000 acres are allocated to further planning by the RARE II process. Furthermore, BLM is currently conducting a wilderness study in Colorado which involves approximately 800,000 acres on which Congress will be making additional wilderness designations in the future. Taking into consideration the vast acreage already included in the wilderness system in Colorado, we believe that further wilderness designations must be made with extreme care. As a result, energy and mineral potential must be given careful consideration during deliberations as to which areas should be added to the Wilderness System.

One area of particular concern is the Sangre de Cristo proposed wilderness area located in the San Isabel and Rio Grande National

Forests. We are opposed to the boundaries proposed in both the House and Senate versions of the Colorado Wilderness Act. It must be pointed out that all of the Colorado legislation introduced to date has expanded on the Forest Service's original boundary recommendation for the Sangre de Cristo Wilderness. Atlantic Richfield Co. currently holds oil and gas leases in the southern portion of the Sangre de Cristo Range as well as 57,000 acres of lease applications along the eastern flank of the range. In an effort to avoid a conflict and ensure lease issuance, these lease applications were filed using the Forest Service's proposed wilderness boundary as specified in the draft management plan. Atlantic Richfield made a concerted effort to minimize any conflicts with the Forest Service's wilderness recommendation. However, our lease block is included in the proposals of Senator Gary Hart and Representative Tim Wirth. In addition, these proposals extend the boundary recommended by the Forest Service to include approximately 85 percent of our lease applications. The legislation introduced by Representative Ray Kogovsek does not impact our interests as heavily in that our leases and portions of our lease applications have been excluded. However, due to the oil and gas potential of the area, we urge that further boundary modifications be implemented to exclude our interests.

ARCO Exploration's proprietary seismic information, when seen together with information from Sheep Mountain wells and other wells in this area, and tied to surface geologic mapping, indicate major thrusting in this area. Because hydrocarbon source rocks exist in the area, this thrusting may have caused structural traps which could contain oil and gas. Based upon this information, it is our belief that the eastern portion of the Sangre de Cristo Range has significant potential for oil and gas reserves.

It is our understanding that the Forest Service is currently modifying its boundary recommendation for the Sangre de Cristo proposed wilderness area as a result of public comment and further resource evaluation. Their mineral evaluation for the eastern flank of the Sangre de Cristo Range from Slide Mountain north to above Hillside is being upgraded from no potential for oil and gas to medium potential. The report should be available for public review in the very near future. This report will be utilized by the San Isabel Forest during the decisionmaking process on the new boundary proposal for the Sangre de Cristo proposed wilderness.

In conclusion, we urge that Congress modify the boundary of the proposed Sangre de Cristo Wilderness area to the proposal shown on the enclosed map posted on the board. ARCO Exploration believes that the geologic favorability for oil and gas extends well into the Sangre de Cristo Range. Our land position would have been greatly expanded had the area not been under wilderness consideration. Therefore, our lease applications represent a compromise position in itself. Should we be compromised further, the viability of this play would be lost. We believe that this boundary will provide adequate wilderness and increase nonwilderness recreation uses, while allowing further exploration and possible development of much needed domestic supplies of oil and gas.

Again, we appreciate the opportunity to present this testimony.

Mr. SEIBERLING. Thank you.

Mr. Lee.

Mr. LEE. Mr. Chairman and members of the committee, my name is Courtland Lee and I am a consulting geologist and the Washington representative for the Minerals Exploration Coalition. The MEC is a nonprofit, membership organization concerned with public land issues.

Today we are commmenting on two different wilderness bills for the State of Colorado: H.R. 5426, introduced by Congressman Ray Kogovsek; and H.R. 5470, introduced by Congressman Tim Wirth. There are major differences in the bill that we would like to address:

One, the acreage difference has probably received the most attention; however, it is only fair to mention that Congressman Kogovsek did not include any areas in his bill that were not in his congressional district, in keeping with congressional tradition. Also, the Kogovsek bill does not include any of the roughly 44,000 acres managed by the Bureau of Land Management.

Two, the Wirth bill includes acreage in seven areas that was released in the 1980 Colorado Wilderness Act. According to the Forest Service report, additional acreage was included in the Fossil Ridge; Piedra; Sangre de Cristo; West Needles; Wheeler Geologic Study Area; Davis Peak; and Service Creek areas.

We believe that the Wirth bill should be amended to exclude any acreage that had been released in the 1980 Colorado Wilderness Act. If this is not achieved, the compromise that was reached last week between the Senate and the House on the issue of release language will ring hollow indeed. It is also necessary to amend any version of a Colorado wilderness bill to include the compromise release language in the statute and the clarifying committee report language.

Three, the other major difference between the Kogovsek and Wirth bills is one of total number of areas. Every area that was included in the 1980 Colorado Wilderness bill as a congressionally designated wilderness study area or further planning area in RARE II is included in the Wirth bill. Because of various resource conflicts, those same areas were not included in the Wilderness System 4 years ago, and further study and planning was mandated.

The new studies and planning has not persuaded the wilderness proponents to resolve any of the conflicts; it seems that they felt it was only delaying the inevitable to designate these areas as wilderness. Congressman Kogovsek has studied the issues surrounding wilderness designation for these areas over the last 4 years, and has introduced a bill that attempts to balance the competing economic, recreational, and preservation interests.

The Mineral Exploration Coalition, in cooperation with the Colorado Mining Association, reviewed each of the areas included in the 1980 Wilderness Act as study areas or further planning areas, and compiled a book outlining the mineral potential of each of the areas, together with suggested boundary changes in certain instances. Information included in the recently released U.S. Geological Survey's professional paper 1300 that documents the results of the Government mineral surveys in wilderness areas was also included. We ask that this information be included in the official hearing record.

[EDITOR'S NOTE.—The document referred to by Mr. Lee may be found in the subcommittee's files of today's hearing.]

Mr. LEE. MEC opposes designation of the Spanish Peaks area because of the mineralized area near its center, and proposes boundary changes to exclude mineralized areas from the Sangre de Cristo and Greenhorn Mountain areas. The areas near Silverton and Lake City are near areas of high mineral potential—West Needles, and others. The Service Creek and Piedra areas have insufficient evidence concerning the presence or absence of minerals to make a sound recommendation. The Minerals Exploration Coalition does not oppose designation of the Spruce Creek area as wilderness.

The MEC is particularly concerned about the Oh-Be-Joyful area and opposes its designation for two reasons. It is highly mineralized according to mining company data and the U.S. Geological Survey and Bureau of Mines survey. However, we are also concerned about the buffer-zone-effect of wilderness areas whereby not only is mining activity restricted within the designated wilderness but outside as well. The Mount Emmons deposit nearby has been explored. We believe it will produce at some later date. This deposit has been the subject of controversy, and we believe that the designation of a wilderness nearby would add to that controversy thus causing delays and increased costs. Ultimately, the production of less minerals into the Colorado, United States, and world economies would result.

The MEC has the following recommendations for areas included only in the Wirth bill:

The Fossil Ridge area is highly mineralized over most of its extent and should not be designated a wilderness area. A boundary change is recommended for the Buffalo Peaks area. Because of high mineral, coal or oil and gas potential in or near the areas, we oppose the designation of South San Juan, Wheeler Peak, Big Blue, and Davis Peak areas. We have proposed a boundary change in the Cannibal Plateau area, but we understand that the southwest portion may contain an area of interest to the snowmobile-recreation interests.

Due to the time I would like the rest of my testimony to go into the record and I will be open for questions.

Mr. SEIBERLING. You just about finished your testimony, did you not?

Mr. LEE. I have another page, but I heard the bell.

Mr. SEIBERLING. I read the last page, and we will put it in the record.

Mr. LEE. I should have started with that first.

Mr. SEIBERLING. Mr. Kogovsek.

Mr. KOGOVSEK. Mr. Chairman, I do not have any questions except in the area of the Sangre de Cristos, because I think the testimony that I heard from a couple of the testifiers was that the boundaries in the Kogovsek bill were somewhat more sensitive to mineralization than they were in the Wirth bill. Could you go into a little detail on that?

Mr. McDANIEL. Yes; they were more sensitive. We have issued leases in a portion of the Sangre de Cristo—if you will excuse me. The area down here he referenced was released under the 1980 bill from further consideration, and yet Wirth and Hart have added this area into their bill, and we have issued oil and gas leases in this area, and as a result of that Representative Kogovsek has deleted this area east of here from consideration. He has, however, added the area in here. We feel that that has been—that he has already addressed some of these issues so we do not have to fight it out later. We appreciate the opportunity to speak on that. As we go to the north he has been aware of our applications and the fact that we feel that there is potential there.

Let me say that the Forest Service has also been involved in trying to determine what kind of potential for oil and gas is in here, and they have most recently made a change of mind as regards what is available, the reason being that we have had proprietary information in here which has not been public knowledge and after they have seen this they have made a change.

Mr. **Kogovsek**. That is all I have, Mr. Chairman.

Mr. **Seiberling**. Thank you.

Mr. Ward, do I understand you have a statement that is separate from Mr. Wise?

Mr. **Ward**. I had some comments on the mineral potentials of several of these areas if you wish me to go ahead.

Mr. **Seiberling**. We will put them in the hearing files. I think that is the best way to move this along unless there is something you feel you have to say orally now.

Mr. **Ward**. I would like to comment that we do have a block of claims now in the Williams Fork Wilderness study area that we feel have some of the best potential of any that we have partially because of the geologic features, partially because of the closeness to the existing infrastructure. If we were to find something there we would have to impact much less area there than most areas. We would like to see that area deleted. Thank you.

Mr. **Seiberling**. I must say that I always get turned off by testimony from the minerals industry because they always take the position that nothing should be put in wilderness until it is explored for minerals. You know, 50 years ago nobody would have worried about molybdenum or uranium, and 50 years from now there will be other minerals. I suppose on the basis that there always might be some mineral someday that someone might find useful we should not put anything in wilderness, and when I look at the collective comments on these proposals here, on Mr. Wirth's bill—let us take Mr. Kogovsek's. All that is left of his bill that is not touched at all is the 6,600 acres of Spruce Peak and 29,600 of Weminuche, which is 35,000, 36,200 acres out of 401,000. There is some suggested barter changes in one of these areas and I do not know what that would be. Greenhorn Mountain, I do not know what would be left. You take his bill and that just about wipes most of it out, three-quarters of it, and it does the same thing of course even more with Mr. Wirth's bill.

When we get that approach I just throw up my hands and say you guys do not have any credibility because they are asking something that is extreme. There is so much molybdenum in Colorado that it will last for the next 1,000 years at the current rate of consumption, and the idea that we should eliminate from wilderness consideration every area for example where there is a molybdenum potential is absurd to anybody that knows the present state of the molybdenum market. I just put this out because I would like to hear your comments on it. That is my reaction.

Mr. **Lee**. I would like to comment on that. Our problem is not with the values that most wilderness proponents cherish. We too do not want housing developments or shopping centers in mineralized ground or they would be unavailable to us. Our problem comes, speaking for myself and the coalition—it is on the last page of my testimony—with the congressionally designated wilderness which as of December 31 is withdrawn from mineral activity, and that congressional designation gives us a great deal of problem, because mining actually involves a very small amount of ground. You are talking less than airports in the entire United States. So although it is represented we want it all, in fact we just want the opportunity to find those small little gems that we feel would be very productive to the United States and the local communities. So I think it is the rules as they are written and not the basic values that are giving us the difficulty, and these we are getting down to the areas that are highly mineralized.

The first few tens of millions of wilderness acres, there was very little conflict, but any more with these additions onto the RARE II, these were areas identified as having problems in the Forest Service plans. When we get to the BLM wilderness, we will have even more difficulty. So as we progress to getting more and more wilderness areas we will get more and more conflicts.

Mr. **Seiberling**. There will be conflicts and we try to minimize them. I think it is safe to say if we put into wilderness all the study areas and all the Forest Service recommended areas, I think it is safe to say if we took all the areas recommended for wilderness study and put them into wilderness, you would still have the vast majority of mineralized areas open for development and exploration. So I realize that that may not satisfy a company that does not have as much as its competitors lined up for the future, but I do not know that we can always take that into consideration, because if we are looking at this from the overall national interest, the question is have we prevented ourselves from making adequate use or from supplying our needs for the reasonable future, and it seems to me that the answer is no and would be no even under the circumstance that I described.

That does not mean that someday those areas will not have to be explored and developed, but Mr. Udall and I both have the same basic approach: that is that we should pick out the gems from a wilderness standpoint and protect them unless there is some very clear overriding national need, and someday if we have to we will go back in there and perhaps have to develop them, but in the meantime, let us develop the areas that have lower wilderness attributes and reserve the other ones until later on. Do you want to comment on that?

Mr. **Kogovsek**. Mr. Chairman, I have a comment.

Mr. **Seiberling**. Let me ask if they have a comment first.

Do you have any comment on that?

Mr. **Wise**. I have a brief comment. I think that the thing that we need to focus on is the remarks that we make of course are made from the point of view of the company, but we are also talking broader concepts of national interest. We have an abundance of minerals and sources now. Regrettably some of those sources are in unstable areas. Yes, we have stockpiles of some of those minerals, but as I said in my prepared remarks, my people tell me that it will be 10 to 20 years before you can open an area and get to resources that are not available very readily, and that is the type of tradeoff that we are making when we are locking up these areas.

Furthermore, I do not know that mining does preclude a wilderness from being a wilderness. That is a transient thing. It is very difficult to find a mineral deposit. The fact that these areas are still available after 100 years of exploration suggests that perhaps in another hundred years of exploration they will probably still be available except for those few areas where important minerals have been discovered.

Mr. SEIBERLING. Once they are dug, they are gone. If they are in wilderness, they are still there. If we have to get them, we will. One of the phenomena that we are experiencing is that a great deal of the minerals that we are using now are recycling of minerals that have already been mined. That is one reason for the depressed state of the mining industry; am I right about that?

Mr. WISE. That has some impact.

Mr. SEIBERLING. More and more that will be the case. A hundred years from now we may not have to mine many minerals at all, we will take the buildings that we are tearing down and the automobiles we are scrapping and recycle. So I do not predict the long, long future and no one else can, but we can make sure that we have enough for today. I do not think there is any shortage right now of molybdenum or copper or various other minerals. We set aside 50,000 acres in the River of No Return Wilderness several years ago in Idaho so they could get out cobalt and various other minerals, and they have not done a thing since then because of the depressed state of the market. Anyway, that is the way I react to some of the comments, and if I am wrong I will stand corrected.

Mr. Kogovsek.

Mr. KOGOVSEK. Mr. Chairman, I am not sure that you are wrong. There is the other viewpoint which is better explained and expressed by people from the industry. It seems to me that in a lot of ways in the 1980 bill we had to tell a lot of people that were in the mining business no, you are not going to be able to mine in certain areas. We are willing to do the same thing I guess in the 1984 bill. We look at the Spanish Peaks, as far as I am concerned as a representative from that district we are never going to be mining the Spanish Peaks because we should not. The mining industry a good portion of the time is put at a disadvantage as far as the entire Federal Government is concerned because we have a national Federal land system. We do not have a national mining system. I assume we should not have one. But when we are picking off one small mining operation or one large mining operation and everybody in between as we go from one State to the next setting aside wilderness there is a certain reason for concern on the part of the mining industry. We are talking to people in Colorado, everybody from the small one- or two-man operation to AMAX, and everybody in between. I think that as we do it, I guess we are the ones that are being asked to pick and choose in the West where people are going to mine and where they are not going to mine. The concern is there as to when you can get started and if you can ever do that. The unfortunate part is, and it is almost like the good Lord has done it on purpose, wherever he has put the most spectacular wilderness, he has also put some of the richest minerals, and then he placed this body together to make decisions as to whether it should be wilderness or whether it should be a mining camp.

Mr. SEIBERLING. I think that wherever there is an existing operation or one that likely to go ahead in the near future, Congress has been most solicitous in making sure that we should not disrupt it. Exhibit A is the U.S. Borax mine in Alaska, a molybdenum deposit in Quartz Hill, where we created a 100,000-acre buffer zone all around, and they were not satisfied with that. They wanted a million acres. But nevertheless, that is what we did.

I would like to point out a couple of things. Mention was made of the Clean Air Act. I do not see how the Clean Air Act affects the existing mines, because any wilderness area we create is automatically a class 2 area, not a class 1 area. It could not be made a class 1 area under existing law except by an act of the State in which it is located, and I cannot imagine the State shutting down a mine by making it class 1.

Do you want to comment?

Mr. WISE. I think that is an accurate statement of the facts. As a wilderness is designated it comes in as a class 2 area. Because it is a wilderness area it is a pristine area, it is a small step that maybe we need to protect the air quality values and a State act, which is reviewable federally——

Mr. SEIBERLING. Of course. Since it is done under State law.

Mr. WISE. It would take an act of Congress. It is not reviewable by the agency, though.

Mr. SEIBERLING. Have you ever heard of any State shutting down a mine and making an area class 1?

Mr. WISE. No, and I hope we would not.

Mr. SEIBERLING. Can you imagine it happening realistically in Colorado particularly of all places?

Mr. WISE. Not today, but things change. We worry about those things.

Mr. SEIBERLING. A couple of weeks ago we had Westvaco here. They are worrying about the State of Virginia but the Congress some day might designate it an area of class 1. Congress might do a lot of things, but I think we have to make decisions based on the likelihood of those things happening. If Congress made all the wilderness areas class 1 we would shut down every industry in the country. I can hardly imagine that happening.

Mr. KOGOVSEK. Mr. Chairman, in the bill that we are talking about now, while we were just probably one step away from seeing that shut down, public service powerlines are being addressed in my bill because of having problems as far as class 1 designations are concerned. If it could happen as far as powerlines are concerned, it might be able to happen as far as mines are concerned.

Mr. SEIBERLING. Powerlines are a different thing, but I do not know how they get into class 1. They do not affect the air. We are talking about class 2 areas under the Clean Air Act. That is what they will be and they will stay that way. Wilderness areas do not create any buffer zones. As a matter of fact you can do almost anything right up to the boundary of a wilderness area. Finally I simply would like to say that I hear what you say about the—first of all we will include the compromise, the new release language in the bill. As to the question of the areas that had already been released and put in the Wirth bill, the release language in any of the bills was not a guarantee that Congress would not later put some of it in wilderness, and that was never what was sought. What was sought was a guarantee that the Forest Service—that no one could go to court and say the Forest Service ought to put an area in wilderness. Once it had been released that took care of it as far as that planning cycle is concerned. And so that is—I do not really feel that the fact they were released means that Congress could not later come back and decide to do something with them.

Well, those are my reactions. I will be happy to hear any further comments. If not, I want to thank this panel for stimulating our thinking and we will try to give careful consideration to your ideas.

Let us proceed with the next panel.

The next panel consists of Ms. Roz McCain, Huerfano Valley Citizens Alliance; Ms. Sharyl Kinnear, Colorado Wilderness Network; and Mr. Dave Montgomery, San Luis Valley Audubon Society.

[Prepared statements of Rosalyn McCain, Sharyl A. Kinnear, and David B. Montgomery may be found in appendix I.]

PANEL CONSISTING OF ROSALYN McCAIN, VICE PRESIDENT, HUERFANO VALLEY CITIZENS ALLIANCE; SHARYL A. KINNEAR, COLORADO WILDERNESS NETWORK; AND DAVID B. MONTGOMERY, REPRESENTING SAN LUIS VALLEY AUDUBON SOCIETY AND FRIENDS OF WHEELER

Ms. McCain. I am Roz McCain, living in the Gardner-Red Wing area of Huerfano County, CO. Huerfano County encompasses three of the proposed wilderness areas that are being discussed.

I am here representing Huerfano Valley Citizens Alliance. It has 115 members, many of whom are living on or near the Forest Service boundaries. These people all unite in supporting the H.R. 5470.

Wilderness preservation is very important to me and to my family. My background is that I was born and raised in the Denver area and have lived in Huerfano County now for 8 years. I have hiked extensively in northern Colorado in Girl Scouts and junior high and high school and when I was in college at Colorado State University. After traveling extensively and living in Alaska for 7 years, my husband and I settled in southern Colorado. We were attracted to the area because of the mountainous regions and the beauty of the area. We settled first in La Veta and spent one summer hiking around the Spanish Peaks area. Since we have lived in the Gardner area we spent a lot of time in the Sangres and on Greenhorn.

When my son was 10 months old we carried him to the top of Greenhorn. Each summer we have hauled him along up to Blanca Basin, Lily Lake, over Music Pass and Mosca Pass to the Sand Dunes. He is now 5 years old. He would love to go to Lost Lake this summer with his dad and all of us would love to take the trail from Music Pass down Sand Creek to the Sand Dunes one summer. My mother is 72 and comes down every summer to hike with us. She loves to hike over Mosca Pass to the Sand Dunes and back with us or we can send a friend around to the Sand Dunes to pick her up in a car if she does not feel up to the hike. The Blanca Basin area is another of her favorites. She takes a count yearly of the different wildflowers that she sees.

I use these examples to demonstrate that these areas are hiking areas to be enjoyed by young and old people alike. They are not accessible just to expert hikers—they are available to all people along the front range. Every year we meet more people from Denver, Colorado Springs, and Pueblo hiking in the area and find that we are meeting more and more hikers from out of State. The area is readily available to people from Kansas, Oklahoma, Texas, and New Mexico, and we find that people are using our area more and more.

What I think has been stated earlier in these hearings, that the population growth in Colorado and the tourist industry are putting a great deal of pressure on the areas that are available for hiking in northern Colorado. As this is happening we find that in our valley we are seeing more and more people coming to hike because there are relatively fewer people hiking in our area than in the north.

I work with the Gardner Community Corp. This is an organization that was formed in 1980 to act together to improve the quality of life in Gardner, CO. One of the things that the corporation feels is that they encouraged the economic growth that they see the tourism can bring us now and in the future. Wilderness designation for these areas will ensure that they remain a valuable economic asset to the residents of the State and to the rest of the people in the United States. If these areas are preserved now we feel that they will become economically more important to us as the years go by.

One of the reasons that people in our area are interested in seeing these areas designated as wilderness is because we already have visible from my house the Arco CO_2 project on Sheep Mountain. This is a very clean project and we understand that it is one of the least damaging projects that we could have in our area. We are glad to have that. It has provided employment for people and has been an asset to our community. But we find that once oil and gas leases are developed that these areas are no longer available to the public. They are off limits to people. You cannot go up on Sheep Mountain unless you are employed by Arco and you need to have I think a million dollars' worth of insurance to be going up there. These are areas that people used to hike and cut wood and hunt, and they are not available to the public any more.

Mr. SEIBERLING. The bell means that 5 minutes are up. I have read the entire statement. Can you summarize the rest of it?

Ms. MCCAIN. Yes. I have some photographs that I would like to send around to the committee to look at. One of the main things that I wanted to stress is that the Citizens Alliance feels that the Mount Blanca Peak, Lily Lake, and Blanca Basin should definitely all be included in the Sangre de Cristo area. These are—the peak is the jewel to us of the southern end of the Sangres and it seems that it would be a real shame if this was not included in the area.

Blanca Basin and Lily Lake are easily accessible to people, and I feel they should be included. I understand there may be problems with some private land that is owned in those areas, and I would seriously urge the Forest Service to pursue an exchange of those lands. I think that that area is extremely important to us.

The last thing that I would like to say is that my son uses these wild areas as his school. His dad is an artist and he is a sculptor and spends a lot of time in these areas with my son, and he teaches him things there that he cannot learn in a school classroom. They are important to us and they are important to him and will be important to him in his adult life. I urge that these areas remain for him and for his grandchildren to be able to use. Thank you for your time.

Mr. SEIBERLING. Thank you.

Ms. Kinnear.

Ms. KINNEAR. Thank you, and good afternoon. I am Sharyl Kinnear, and I live in Grand Junction. I am a volunteer member of the Colorado Open Space Council, and I am on their board of directors. I am also on the Wilderness Steering Committee.

I am a volunteer with the Colorado Wilderness Network and recently took over duty as coordinator for their Adopt-A-BLM W.S.A. Program.

I have brought with me a letter from the Audubon Society of Western Colorado. I am not representing them, but they have asked me to be a messenger for them and included it in the hearing record. They endorse H.R. 5470 for a variety of reasons.

My statement today concerns itself with three of the proposed wilderness areas and that is the Cannibal Plateau, Powderhorn area, West Needles—Weminuche Wilderness Area Additions and Piedra areas.

As coordinator of the Colorado Adopt-A-BLM W.S.A Program, I am concerned and disappointed that the Cannibal Plateau/Powderhorn area is omitted in H.R. 5426.

The proposed Cannibal-Powderhorn Wilderness includes the Bureau of Land Management's Powderhorn Primitive Area, the Forest Service's Cannibal Plateau further planning area, and a portion of the BLM's Slumgullion Slide Wilderness study area.

Powderhorn is the only BLM primitive area in Colorado and together with Cannibal Plateau represents the largest alpine tundra area south of Alaska. The area offers sweeping vistas of surrounding mountainous landscape.

In 1980, the BLM officially recommended that the Powderhorn Primitive Area be designated as a wilderness area by Congress in their draft environmental impact statement for that area. The final environmental impact statement is due in the next couple of weeks. I have been told the Congress should expect a legislative package in the future which would include a proposal for including Powderhorn as wilderness. It should be considered to be one of the areas for inclusion in the 1984 Wilderness Act.

There are some pictures being passed around of these three areas, the Cannibal Plateau-Powderhorn area, West Needles area, and Piedra area.

The second area is the West Needles area. This area contains some of the most rugged peaks in the entire San Juan Mountain

Range. Below these mountain peaks are several basins cut by past glacial action which contained cold, cascading creeks. H.R. 5426 deletes the northwest portion of West Needles WSA up around East Lime Creek. This concerns me because it is a rolling, open meadows area which is a diverse contrast to the steep rugged peaks within most of the West Needles WSA and Weminuche additions. It is a popular area for cross country skiing and, therefore, I would ask this be included in H.R. 5426.

This bill also deletes the southeast portion of Needle Creek near Emerald Lake. This has me confused because the boundaries as they are proposed leave out a little island of nonwilderness which is surrounded by existing wilderness and proposed wilderness. I feel this would create a manageability problem for the Forest Service. I am a little amazed also as to why it was excluded.

Some reasons that have cropped up have been that perhaps it is a site to helicopter into the area. If you refer to a topographic map, you can see there is a foot trail you can get into the area by, by foot or by horse. Also possibly water development would occur in that area. That also has me confused.

For both of these uses if they are allowed, they would create an unnecessary intrusion into the wilderness area.

The third area I came to speak about is the Piedra area. This area contains a watershed of over 41,000 acre feet of high quality water which is essential for livestock, wildlife, fisheries, recreation, irrigation, and domestic uses. It also contains the Piedra River which is a candidate for inclusion in the National Wild and Scenic Rivers System. Also, I would like to mention that the Piedra WSA received the highest wilderness rating by the San Juan National Forest Service out of 38 roadless areas, they studied during RARE II. H.R. 5426 lops off the west portion of the Piedra area around Mosca Creek below Slide Mountain. It is crucial that this area be included in the Piedra Wilderness as it is the last unroaded elk migration corridor from the wilderness area to the winter range located south of Piedra WSA.

H.R. 5226 also excludes the Little Sand Creek-Weminuche Creek drainage area. As you heard this morning, this area serves as a critical river otter habitat. The river otters are a State's endangered species, and they were reintroduced into that drainage in 1978.

In conclusion, if I might say, after listening to testimony today and being part of this, I appreciate much more the job you are doing here in Washington. There are a lot of long hours involved, and I am proud I could come from Grand Junction to be a part of the process today. I thank you for listening to my comments.

Mr. SEIBERLING. Thank you very much for a very nice statement. Mr. Montgomery.

Mr. MONTGOMERY. Thank you. I am Dave Montgomery, representing the San Luis Valley Audubon Society and Friends of Wheeler. I will skip the amenities and get to the meat.

We are recommending the H.R. 5470 boundaries for the Sangre de Cristos Range. We are doing this because of living in the San Luis Valley. This designation has obviously local support because of its obvious wilderness and daily inspirational presence such as the ruggedness of Black Bear Mountain with its lynx, cougar, elk, and other big game. It has a combination of wildlife and scenic values that are essential to wildlife species.

We are endorsing additions to the South San Juans that includes Montezuma Peak, which includes Crater Lake, an important elk habitat and migrating route which has been well known for the past 200 years and is heavily endorsed by the division of wildlife.

Also the V-Rock addition which is to the south and which boundary commences approximately 3 miles from where the last grizzly bear was killed in Colorado about 5 years ago. So we still think that this is a necessary addition to the grizzly bear habitat even though their existence has not been verified.

Now, I would like to address my favorite area, the Wheeler Geological study area. I have attached the draft statement from the National Park Service as a result of the joint Park Service and Forest Service field trip which was mandated by the 1980 act and I would like to point out several important factors. We have some photos I would like to have passed out.

Especially on page 6, the study team concurred that wilderness designation is "the obvious sure method of preserving the area."

Also, under threats to the area, "Other threats to the area consist of potential destruction of the natural setting by intensive timber harvest activities, possible mining activities, uncontrolled public use and recreational development such as access roads, and camping at the base of the geological feature."

Nothing short of wilderness will protect Wheeler in this sense.

Also, my second point, and one that has been brought up extensively, is the matter of access. Well known to myself and which is in the study report, too, "The 1-mile hike into the geological area will create a problem for the elderly and handicapped. The Loop Trail up to and around the geological feature presents steep grades that will present problems for those people not able to walk at least 1 mile."

So here we have an obvious geological feature and part of that feature is its ruggedness and its lack of access to the elderly and handicapped which cannot be reconciled short of balloon rides or some other method.

Also, at present there are no current conflicts with the other resources in the proposed wilderness. The timber in the area has been removed, their tentative harvest, and in the Rio Grande management plan. Mineral potential and development is well out of the area, around the Criede area specifically, which is well to the west.

Also, I would like to point out the local support is documented, which doesn't look like much, but when you consider the 6-county area only hosts 40,000 people, even a handful of environmentalists like the San Luis Audubon Society with 70 members is quite unique.

I would like to skip to point 5 which I mentioned here.

Of the 220,000 acres of wilderness identified in the RARE II process—this does not include areas that were subsequently declared wilderness in 1980—we are only asking for this additional 30,000 acres at this time. The other point which is not in this letter, is that the current La Garita Wilderness runs along the north and south drainage divide of the La Garita Mountains. It runs so for 35 miles. There is not 1 acre of wilderness on the south end of the La Garita Mountains.

I find that to be rather strange.

So in closing, I would like to document the fact that the Rio Grande National Forest has sidestepped controversy and current indications are they will manage the area as they have in the past, which is basically noncommittal, and status quo. The only problem with this is that it is subject to administrational changes and we find this hazardous. Thank you.

Mr. SEIBERLING. Thank you.

Ms. McCain, I am interested in this Sheep Mountain thing, because we had a hearing on the Utah Wilderness bill not long ago, and there is an area called Box Delta Canyon which is a sandstone plateau with a deep canyon, Box Death Hollow—Box Death is the key word. Anyway, it is a sandstone area that is practically barren of any vegetation except in the bottoms and canyons. It is a beautiful area. That also has a lot of CO_2 under it. We are told that CO_2 could be extracted without any significant impairment of the scenic values there or the pristine qualities of the water and so forth.

They cited Sheep Mountain as the proof of that fact.

Of course, Sheep Mountain does have quite different terrain. It has trees on a large part of it, but I am interested in your comment on Sheep Mountain which is that its been somewhat spoiled for outdoor experience. Is that the gist of what you are telling us?

Ms. MCCAIN. Yes, that project—there are a number of well sites which are fairly widely dispersed, and those areas are not available, not open to the public to use any more.

Mr. SEIBERLING. What about the rest of it? Is it still usable?

Ms. MCCAIN. Yes.

Mr. SEIBERLING. Is it used by people for hiking and that sort of thing?

Ms. MCCAIN. There are some areas—there is a Little Sheep Mountain and Big Sheep Mountain and there are private holdings on those and people can go there, but the actual operations are that ARCO is using people on——

Mr. SEIBERLING. I have seen pictures of it. It doesn't take up much of the total area.

Ms. MCCAIN. No.

Mr. SEIBERLING. But it does impair the wilderness and scenic characteristics.

Ms. MCCAIN. Yes.

Mr. SEIBERLING. We ought to look at the Mount Blanca area. Is that private land or is it all national forest?

Ms. MCCAIN. Well, as I learned today, apparently the peak of Mount Blanca is privately owned. I had never heard that before, and, Mr. Kogovsek, Mike Lopez tells me there are private holdings at Lily Lake. Certainly no one in our area has been aware of that at any time.

Mr. SEIBERLING. We will take a look at it and, of course, on Wheeler Peak can anyone tell me how many people go to the Wheeler Geological area per year?

Mr. MONTGOMERY. Yes, Mr. Seiberling. That is under contention, but locally they believe that it is a maximum of 200 visitors by vehicle and that is through usually July 4 to the 1st of September.

Mr. **Seiberling**. How many of them are handicapped?

Mr. **Montgomery**. That is the figure that the Forest Service has not provided, and in their voluminous study, as you can see, it is very thin here, they don't address this problem at all as far as numbers, who uses it. But I do know for a fact that it is widely used by both backpackers and predominantly four-wheel drive vehicles locally owned.

Mr. **Seiberling**. I hear a lot of criticism around here of wilderness on the grounds that it is only a small number of people that use wilderness areas comparatively. That isn't always true. Sometimes it is, but often it is very many people use them. But then the number of handicapped who are likely to go to these areas is a small fraction of those people. So I must say while we must be concerned about taking care of the handicapped and providing them with opportunities for outdoor experiences, there does seem to me to be some kind of rule of reason that ought to be applied and obviously we can't guarantee that handicapped are going to be able to have the same experience that nonhandicapped people are even if they get to the geologic area. What are they going to do when they get there? They can only look. They can't go into it and climb the various peaks and that sort of thing.

So in looking at this, I have to make some sense out of it, and strike a balance. I don't know where the balance is. Mr. Kogovsek is much more familiar than I am with it.

Mr. **Montgomery**. If I may, the existing Jeep road is approximately 15 miles, and it winds back through certain headwaters. Our proposal would terminate the road 3 miles approximately from the geological area, thus still allowing 11 miles of access by vehicle. The remainder of the access would be over a flat parkland area, whereas by foot from the same jump-off point as the Jeep road is 8 miles; and many people down there say it is faster to walk it than to drive it. And as far as regards the handicapped people, there are several species of handicapped people. I know of one program where a local outfitter brings mentally retarded people periodically into Wheeler and I personally have escorted one group of spasmodics who had difficulty entering, but they traversed the 6 miles and were quite thrilled at the end result. So we do have degrees. It is not all black and white.

Mr. **Seiberling**. Having climbed a 14,000-foot peak in the Sierras with a gentleman who was middle aged and had braces on both legs from polio, I realized that even handicapped people can go a lot of places that maybe the average person wouldn't think they could.

So, anyway, I guess I have used up my time.

Mr. Kogovsek.

Well, if there are no questions, I thank you for your testimony and I hope you enjoyed being in Washington as well as having just testified here. Sorry we took your entire day.

Ms. **McCain**. Before I leave, I should say one thing I didn't have time to say. That is on Monday, May 7 the Gardner Democratic Precinct Caucus voted 68 to 1 to support the Wirth bill and passed a resolution to that effect, and specified they wanted to see Mount Blanca, Lily Lake, and Blanca Basin included in the wilderness area. I have a number of letters signed by people that I wanted to leave with you.

Mr. **Seiberling**. All right, fine. That is helpful.

Thank you.

We will make those letters part of the files of today's hearing record.

Next we have our last panel, Mr. Gary Sprung, Mr. Rudy Rudibaugh, and Mr. Jay Breeze of the Colorado Mountain Club.

[Prepared statements of Gary Sprung, Rudy Rudibaugh, and Jay Breeze may be found in appendix I.]

PANEL CONSISTING OF GARY SPRUNG, FRIENDS OF FOSSIL RIDGE; RUDY RUDIBAUGH, PRESIDENT, FRIENDS OF FOSSIL RIDGE; AND JAY BREEZE, COLORADO MOUNTAIN CLUB

Mr. **Sprung**. Mr. Chairman, I am Gary Sprung. I am the chairman of the Gunnison County Friends of the Earth and member of the High Country Citizens Alliance and Friends of Fossil Ridge.

I have studied and written on the wilderness areas of Gunnison County. I deliberately did not write out my testimony because I felt I would like to respond as things went on.

I am glad I didn't because, Mr. Chairman, you expressed one of my major concerns very well in your comments on the economics of the mineral industry. I have just handed you a paper that I wrote on the mineral values of Oh-Be-Joyful, and it shows in this paper—we did a little economic analysis of the likelihood of mining in Oh-Be-Joyful, and could very well determine that it is extremely unlikely there will be any mining in that area and, in fact, the Mount Emons project is unlikely to go ahead, either.

I would like to point out that when the U.S. Geologic Survey and Bureau of Mines do their studies, they don't do a market analysis really of whether or not these minerals are likely to be mined anytime in the future. They say well, this is in this concentration over and above the average abundance, so it has economic potential. But if you look at the particulars of the ore grades as we have done and quantities as we did, it shows quite clearly that many of them are just pipedreams.

I would like to get a better handle on what the USGS actually does in their economic analysis.

I think that might be something this committee could look into in the future. In the Fossil Ridge situation, again, there is an allegation of high mineral value, and our studies have indicated similar things about the economic values. However, we are hampered by the lack of knowledge of the actual minerals there and we don't know the particular things, the proprietary knowledge of the mineral values and that is another conflict within this issue.

I will skip my basic economic picture of that.

On the other hand, if we are wrong in the Fossil Ridge areas and it does have significant economic value, then the open pit mine will destroy the character of the area and allow more people in and harm the resort communities' economics and destroy the livelihood of guides and outfitters there.

We feel mining is an inappropriate use of Fossil Ridge. While wilderness has the virtue of preserving options. The mining has stimulated Pitkin, right next to Fossil Ridge, and Pitkin is dependent on tourism and recreation for its economic base too much to declare itself in favor of wilderness.

I have a written statement by the mayor of Pitkin and I would like to read a little of that. He says:

> The Town of Pitkin, Colorado is a small mountain community situated at 9,200 feet elevation at the base of the proposed Fossil Ridge Wilderness area. We have the distinction of being the oldest incorporated town on the western slope of Colorado, an indication of the tenacity of the people who live there.
>
> In recent years a new prospector has come to these mountains. We are prospectors of the beauty and freshness that life in the Rockies has to offer. We have developed a new economy, one based on outdoor recreation, tourism, and light industry compatible with the environment. Our economy is relatively stable and long term, not the boom-bust cycle typical of the mining industry, but our economy is dependent on the beauty of the lands around us which includes Fossil Ridge; dependent on the pure water that comes down the slopes of Fossil Ridge; dependent on the clean breeze which flows over Fossil Ridge; dependent on virgin forests and undeveloped meadows which area provides habitat for deer and elk as well as thousands of small game fowl and native trout. The town of Crested Butte has supported Oh-Be-Joyful and Fossil Ridge for wilderness designation.

I have here the resolutions on the subject.

Fossil Ridge is at the heart of our county and can be seen from many places over our vast land. I have a couple photos that illustrate how it can be seen from all the major highways. If you could please show that photo.

Tourists coming to Gunnison County see this wilderness from many highways and many places all over Gunnison County, and that brings us to the issue of the economic value of wilderness to the local tourism and recreation economy. There is very little hard information on the subject for there have been very few, if any, studies on the subject by professional economists. One thing is clear, in Gunnison County tourism and recreation are by far the main economy; education is second, and mining is a distant third and that is almost entirely in the coal region on the other side of the West Elk Mountains, and a lower place accessible by railroad. Most of the county has no railroad and that really affects the economics of mining there. Ranching is the fourth economy with about one-quarter of the value of tourism and recreation in the Gunnison economy.

A lot of the tourists we believe come to our county because of its preserved pristine environment which wilderness designation helps protect. A lot of them never even see the wilderness, yet they probably wouldn't come to our county if we didn't have those protected lands. That is a very hard thing to measure economically, but I think that it really plays a major role and the fact those Fossil Ridge is really in the heart of our county means a lot.

Finally, motorized recreation. It is used by a moderate number of people, and they cause slight damage to trails. The main point I am trying to get across is that I believe the Forest Service, if this area goes to nonwilderness, is likely to encourage the use of motorcycles and I believe they would turn this area into an alpine motorcycle mecca. One indication is this other photo I have here which indicates one action they took during the time it was a wilderness study area between 1980 and now, and it shows that they established a new trail head and encouraged the use of motorcycles through this design and now there is a lot more motorcycle use in

Fossil Ridge than there was during the time before all this controversy occurred.

So we are very concerned about the future of Fossil Ridge.

It may or may not go to mining but certainly if it goes to nonwilderness, it is likely to be adversely affected by the motorized recreation and that could have a serious harm on the fantastic elk and other wildlife there.

So we hope you will, this committee and the Congress will see fit to reimburse our growing and steady tourism and recreation economy and preserve our natural resources in the use and enjoyment of future generations. Thank you.

[EDITOR'S NOTE.—The prepared statement of Ramon Reed, mayor of the town of Pitkin, CO, referred to above by Mr. Sprung may be found in appendix I, following Mr. Sprung's prepared statement. See table of contents for page number.]

Mr. SEIBERLING. Thanks.

Mr. Rudibaugh.

Mr. RUDIBAUGH. Thank you.

Mr. Chairman, I am Rudy Rudibaugh from Gunnison, CO. I operate a ranch located at the base of Fossil Ridge Slope. I have been a guide and outfitter over 25 years, and I have operated and know areas over a large part of the State. My operations were and are based in Fossil Ridge. I am president of the Friends of Fossil Ridge and a past president of the Colorado State Guide and Outfitters Association. I currently hold an appointment on the Colorado Outfitters' Licensing Board. I am a member of the Gunnison County Stockgrowers' Assocation and Colorado Cattlemen's Association, and some of them think as I do.

I'm a member of the Gunnison Watershed Guide and Outfitters Association. They support wilderness for Fossil Ridge, and so does the State Outfitters' Association. I would like to introduce this letter from John Nelson, secretary/treasurer of the Gunnison Guides and Outfitters expressing their support.

[EDITOR'S NOTE.—The prepared statement of John Nelson referred to above by Mr. Rudibaugh may be found in appendix I following Mr. Rudibaugh's prepared statement. See table of contents for page number.]

Mr. RUDIBAUGH. Fossil Ridge is a small area of about 50,000 acres, but it is the most important area I know. Fossil Ridge is very important as an educational classroom. Students can visualize so much more here in a short period of time. Rare specimens of vegetation such as the tiger lily—which is declining because once it is picked it dies—can still be found in Fossil Ridge. The tiny, fluourescent-colored alpine tundra flowers abound up to the 13,000-foot level as well as other exceptionally beautiful vegetation which are fast losing ground with survival in our world.

The timber wolf, thought to be extinct in Colorado, is occasionally sighted by many visitors that I know, and hunters often hear it baying during the fall. The white mountain goats use this area for year-round habitat. The Rocky Mountain bighorn sheep ranges through this area for summer habitat. And this area is one of real important elk ranges of the Gunnison County for three seasons of the year. Few places in our region are as important to calf-elk rearing as Fossil Ridge. Mule deer, bear, and mountain lion can also be found here. The wolf, bear, and lion are isolated here and rarely bother livestock.

Now I would like to read some parts of the letter from the Guides and Outfitters Association:

"The Fossil Ridge area is extremely important to many of our members. Three outfitting businesses operate there permanently and several others use the area on numerous occasions. These businesses are directly dependent on the Fossil Ridge area's wilderness quality.

"Development of new roads, mining, and timber harvest in most instances would be in direct conflict with outfitting and would render much of this area undesirable for outfitting purposes. This would force outfitting businesses in the area to drastically change their operations into other areas on the forest with wilderness quality."

I am going to leave out the next paragraph for time reasons, down to the next one.

"The Fossil Ridge areas contains seven pristine alpine lakes and several streams that support good populations of trout and quality fishing. I have some pictures here to support this. There is no wilderness area on the Gunnison National Forest that contains even half this number.

"Members of our outfitters organizations have led church and scout groups as well as out-of-State college and university professors and students on educational outings into the area. Especially interesting are the numerous sea fossils found above 12,000 feet in elevation, from which the area gets its name.

"Expensive four-wheel drive vehicles, which many schools and members of the general public lack, are not necessary for access as is the case in so many other wilderness areas.

"Income from tourism including hunting and fishing has been the leading and most stable factor influencing our local economy."

I would like to introduce a news article which provides evidence of the importance of fishing and hunting to our economy. Fishing and hunting accounted for $38 milion of sportsmen's spending in 1981. This is according to the Colorado Division of Wildlife.

[EDITOR'S NOTE.—The newspaper article referred to above may be found in the subcommittee's files of today's hearing.]

Mr. RUDIBAUGH. Mr. Kogovsek, some of us made a trip to Pueblo a while ago to meet and plea with you to show the importance of this area to you. It seems we failed to get the point over successfully, as it didn't come out on your bill as introduced. Now I have traveled over halfway across the United States in order to testify here and impress you members of this committee. If you do not support Fossil Ridge, then I will feel I have wasted my time and the expectations of many Colorado residents as well as the dreams of many students from high schools and colleges from across the Nation who desperately hope that my coming here will help save Fossil Ridge.

Thank you for this opportunity to testify. It has been a great honor to me.

Mr. SEIBERLING. Thank you, sir. We will now hear from Mr. Breeze.

Mr. **Breeze**. Thank you, Mr. Chairman. As the last speaker, I feel that perhaps I should do some handsprings for something to keep everyone interested and alert.

I represent the Colorado Mountain Club, which is the largest outdoor recreation group in the State of Colorado. We have 7,500 members. We have 13 group offices ranging from Durango to Grand Junction and North Collins to Pueblo, and a very large group in Denver. The extent of our organization is very great. We do 3,000 organization trips in the State of Colorado every year. I have here just our summer handbook which lists over 1,200 organized trips for many of these groups. That means about 60 trips every weekend. Since the trips average 15 people a trip, that is 900 people on an organized basis that we send into many of these areas every week every year. Our activities are nonmotorized including hiking, backpacking, snowmobiling, and skiing. Because of our use of the areas, I believe our collective knowledge of these areas is greater than any other group's in Colorado.

We have participated actively in the RARE II process. We support the Wirth bill as opposed to the Kogovsek bill, with one exception. We see this particular legislation as the No. 1 priority to our club and our membership, and have for the last several years, as this bill has come to culmination.

We have done studies of the area, including studies of some of its features. The areas, including the Williams Fork area, which is not in the bill now, have over 257 peaks over 12,000 feet, an additional 140 peaks over 13,000 feet, 8 peaks over 14,000 feet. Those are all in the Sangris; 339 lakes. About 50 percent of the area is above the timberline, and there are dozens of spectacular waterfalls and other features.

We have seen a tremendous increase in wilderness use. We have encountered more and more people on the trails, increasingly jammed parking lots with no parking space available at remote trail heads after long bumpy roads.

We have seen for the first time this year a permanent system in the Indian Peaks Wilderness Area and apparently permanent systems are coming in several other areas next year. This is a unique situation in Colorado. It is something that hasn't happened before. We are extremely concerned about it. We have done what we can to cooperate with the Park Service and Forest Service to schedule our trips in the fall after many of the tourists have left. Even remote peaks have as many as 744 people climbing them every year.

A person already referred to the fact that 43 States were represented in that 744 people and I believe it was 8 different nations. To show some of the increased use, Gray's Peak near the front range in Georgetown has had a 92-percent increase in the number of people that have climbed it over the past 2 years. This is the kind of use that we are experiencing.

As a result, we support—although we support every area in the Wirth bill, we are particularly concerned about the St. Luis Vasquez area testified about earlier, which is very close to Denver, a major population center, is a little over an hour away. We do at least 50 trips a year in that area, including many winter trips and winter sports are the largest growing segment of our use.

We are also concerned about Buffalo Peaks because of its proximity to the greater Denver area and because it affords a different kind of experience with more general terrain which people can get access to compared to more rugged areas which are close to Denver. We are urging the Lost Creek addition because of its proximity.

I wanted to make a very special presentation or give special emphasis to Williams Fork, which has been mentioned to some extent in the testimony today. It is an area which is not included within the Wirth bill. We feel very strongly about it. It is an area which is genuine about an hour of Denver. It has 31 peaks over 12,000 feet, 10 peaks over 13,000 feet. It is 60 percent above timberline and has abundant wildlife, including a herd of over 1,000 elk.

I wanted to make a couple more points. We have specific figures about the increased use of the Williams Fork area from the Forest Service, and I think they indicate the kinds of use we see along the front range recently. Hiking use between 1981 and 1982 went up 28 percent in a single year. Tent camping went up the same amount. Cross-country skiing is up 67 percent in a year. We are disappointed that Williams Fork is not included in the bill. Apparently, that is because of the Denver Water Department's plans for the area.

I wanted to show some of the plans, and the fact that those plans do not conflict with some wilderness designation. This is a chart of the Williams Fork area, and we have overlain here the public plans by the Denver Water Department for the worst of two systems which are proposed. The plans are in the black lines in the different phases. The blue line around here is the border of the Williams Fork area. There are two alternatives for the Williams Fork area. One is a gravity system, which is shown. The other is a pump system, basically involving a reservoir in this area, probably not encroaching upon the wilderness area or just a small amount then, the water would be pumped into an existing collection system. Studies 10 years ago have shown that this particular pump system which does not impact the wilderness produces more water, lower cost, and could be built at a faster rate in about 5 to 8 years or 10 years versus 14 years and, of course, it produces virtually no impact. We feel that the fact that the Denver Water Department wants to develop its water rights should not dictate the boundaries of wilderness, particular when there is a pump system which has been studied in the past and has had these advantageous features.

I urge the committee to obtain a copy of the environmental impact statement for Denver's water needs in the future, which is currently available from the Army Corps of Engineers, which we have learned, have heard from other sources, confirms the fact that this particular pump system has these advantages. If that is the case, we would urge the entire preservation of the Williams Fork area because of the features that I mentioned.

I would also like to point out to the committee that even if the committee is not willing to exclude the particular area where this gravity system is located, there is a major area both here and here which would be available, which would not be impacted by the Denver Water Department, which should be preserved now as wilderness and which would have no conflicts. We have introduced a photrograph of the spectacular nature of the Williams Fork area.

I want to wrap up with the fact that we also have a study which I will submit right now which our club has done concerning Colorado's natural resources and their value as an economic asset and another study comparing the economies of Colorado and Switzerland and showing the way Switzerland has used its geographical features to its advantage. We feel that wilderness is shrinking, of course, in Colorado. We feel that a compromise has already been reached from the RARE II bill. Only one-third of all the area in the RARE II bill will have been protected even if the Wirth bill is accepted with the addition of Williams Fork. We urge you to, if you are going to make a judgment, to err on the side of wilderness because that decision is irreversible. Wilderness is a resource which can shrink, but it cannot grow.

Mr. SEIBERLING. Thank you. I don't have any questions. I think you have made some very excellent statements, and we will certainly give careful consideration to those recommendations.

Mr. BREEZE I would like to ask that this particular map be introduced into the hearing record.

Mr. SEIBERLING. We will include it in our file. It is a little difficult to put it in the printed record, but it will be useful as a reference in helping explain your testimony.

Mr. Kogovsek.

Mr. KOGOVSEK. Thank you, Mr. Chairman. I, too, have no questions. I want to thank the panel for their patience. I would like to thank you especially, Mr. Rudibaugh, for not only coming to Pueblo, but coming all the way to Washington, DC, and I hope that as you indicated in your testimony—you said that if we didn't put Fossil Ridge in, then you would feel that your time was wasted. I don't want you to feel that way. Your testimony is important whether given in Pueblo or out here.

I know how deeply you feel about Fossil Ridge, and I want to do whatever we can to make sure that this is the best possible bill that we put out this year, but I want you to know that your trip was not wasted. Your testmony is part of the record, we enjoyed hearing you, and thank you for making the trip.

Mr. SPRUNG. May I reply to a couple of your earlier statements?

Mr. KOGOVSEK. Yes.

Mr. SPRUNG. You said enough is enough in relation to the Fossil Ridge. There is quite a controversy within the county as to how much is enough, and the statistic is that 13 percent of our county is in designated wilderness. Many of us consider this a blessing since zero percent of Kansas is wilderness and the bill would increase that to 19 percent.

There is no conflict with any Gunnison County land use plan because no such plan exists. There is only a Gunnison County land use planning process, and that is a process whereby the county commissioners determine the impacts of various developments. They also make deals mainly with private lands.

Our county commissioners did indeed vote against wilderness areas in Gunnison County. However, the decision was split 2 to 1, and this just reflects the controversial nature of the area, that there is quite a bit of support for the area within the county as well as within the State and the Nation. I remember in our own survey of areas of your constituents by mail you found that the opinion was 50-50.

Mr. KOGOVSEK. That is correct. Let me say, Mr. Sprung, that you might be right when you say that only 13 percent of the county is wilderness, but you have to consider how much is BLM, how much is designated national recreation area. When you put that together, it becomes more than 13 percent.

I don't suggest that you go to the county commissioners and fight it out there, because this is where the decisions will be made, but I think it is indicative when two of the commissioners feel that they don't want Fossil Ridge added that those commissioners are going to feel the heat there. We feel it there. I have to talk with the commissioners, you, and a lot of people. The negotiations start, I suppose, as of next week or whenever you have a markup, Mr. Chairman.

Your testimony has been important. I want to make the point for you and for the rest of the committee that two Senators and six Congressmen live on the eastern slope of Colorado. I happen to represent the western slope of Colorado. I have to listen to a lot of people. And whether it is Gunnison County or Montrose County or whether it is any county, all of a sudden when you put the wilderness and the BLM and functions together on the western slope, there are people who think that while we are a vast area that we still have to draw the line someplace and say we can, in fact, add 500 acres this year, we can't do that extra 250,000.

We are going to try to work it out. I want to let you know that I am going to work very hard in the next couple of months with Mr. Seiberling, with Mr. Udall, with the people from the western slope to see if we can, in fact, work out a good compromise.

Mr. SEIBERLING. Is there any further dialog? If not, I want to thank this panel and we thank everybody who has sat patiently through this hearing today. We will try to make it all worthwhile. On that note, this hearing is adjourned.

[Whereupon, at 4:37 p.m., the subcommittee was adjourned.]

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ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Washington State Wilderness Act of 1984

THURSDAY, JUNE 7, 1984

House of Representatives,
Subcommittee on Public Lands and National Parks,
Committee on Interior and Insular Affairs,
Washington, DC.

The subcommittee met, pursuant to recess, at 10:01 a.m., in room B-352, Rayburn House Office Building, Hon. John F. Seiberling (chairman of the subcommittee) presiding.

Mr. Seiberling. We will now proceed with S. 837. We will first have a hearing to be followed by a markup.

Without objection, and hearing none, we will have printed at this point in the hearing record, a copy of the bill, S. 837.

[The bill, S. 837, follows:]

I

98TH CONGRESS
2D SESSION

S. 837

IN THE HOUSE OF REPRESENTATIVES

MAY 31, 1984

Referred to the Committees on Interior and Insular Affairs and Agriculture

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AN ACT

To designate certain National Forest System lands in the State of Washington for inclusion in the National Wilderness Preservation System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be referred to as the "Washington State Wilderness Act of 1984".

SEC. 2. (a) The Congress finds that—

(1) many areas of undeveloped National Forest System lands in the State of Washington possess outstanding natural characteristics which give them high

values as wilderness and will, if properly preserved, contribute as an enduring resource of wilderness for the benefit of the American people;

(2) the Department of Agriculture's second roadless area review and evaluation (RARE II) of National Forest System lands in the State of Washington and the related congressional review of such lands have identified areas which, on the basis of their landform, ecosystem, associated wildlife, and location, will help to fulfill the National Forest System's share of a quality National Wilderness Preservation System; and

(3) the Department of Agriculture's second roadless area review and evaluation of National Forest System lands in the State of Washington and the related congressional review of such lands have also identified areas which do not possess outstanding wilderness attributes or which possess outstanding energy, mineral, timber, grazing, dispersed recreation and other values and which should not now be designated as components of the National Wilderness Preservation System but should be available for nonwilderness multiple uses under the land management planning process and other applicable laws.

(b) The purposes of this Act are to—

(1) designate certain National Forest System lands in the State of Washington as components of the National Wilderness Preservation System, in order to promote, perpetuate, and preserve the wilderness character of the lands, protect watersheds and wildlife habitat, preserve scenic and historic resources, and promote scientific research, primitive recreation, solitude, physical and mental challenge, and inspiration for the benefit of all the American people, to a greater extent than is possible in the absence of wilderness designation; and

(2) insure that certain other National Forest System lands in the State of Washington be available for nonwilderness multiple uses.

SEC. 3. In furtherance of the purposes of the Wilderness Act of 1964 (78 Stat. 890, 16 U.S.C. 1131 et seq.) the following lands in the State of Washington are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System:

(1) certain lands in the Mount Baker-Snoqualmie National Forest, Washington, which comprise approximately forty-nine thousand acres, as generally depicted on a map entitled "Boulder River Wilderness—Proposed", dated March 1984, and which shall be known as the Boulder River Wilderness;

(2) certain lands in the Olympic National Forest, Washington, which comprise approximately forty-five thousand eight hundred and seventeen acres, as generally depicted on a map entitled "Buckhorn Wilderness—Proposed", dated March 1984, and which shall be known as the Buckhorn Wilderness;

(3) certain lands in the Mount Baker-Snoqualmie National Forest, Washington, which comprise approximately fourteen thousand three hundred acres, as generally depicted on a map entitled "Clearwater Wilderness—Proposed", dated March 1984, and which shall be known as the Clearwater Wilderness;

(4) certain lands in the Olympic National Forest, Washington, which comprise approximately twelve thousand one hundred and twenty acres, as generally depicted on a map entitled "Colonel Bob Wilderness—Proposed", dated March 1984, and which shall be known as Colonel Bob Wilderness;

(5) certain lands in the Mount Baker-Snoqualmie and Wenatchee National Forests, Washington, which comprise approximately one hundred twelve thousand six hundred and seven acres, as generally depicted on a map entitled "Glacier Peak Wilderness Additions—Proposed", dated March 1984, and which are hereby incorporated in and shall be deemed to be a part of the

Glacier Peak Wilderness as designated by Public Law 88-577 and Public Law 90-544;

(6) certain lands in the Gifford Pinchot National Forest, Washington, which comprise approximately three thousand and fifty acres as generally depicted on a map entitled "Glacier View Wilderness—Proposed", dated March 1984, and which shall be known as the Glacier View Wilderness;

(7) the boundary of the existing Goat Rocks Wilderness, as designated by Public Law 88-577, located in the Wenatchee and Gifford Pinchot National Forests, Washington, is hereby revised to include those lands generally depicted on a map entitled "Goat Rocks Wilderness—Revised", dated March 1984;

(8) certain lands in the Wenatchee and Mount Baker-Snoqualmie National Forests, Washington, which comprise approximately one hundred three thousand five hundred and ninety-one acres as generally depicted on a map entitled "Henry M. Jackson Wilderness—Proposed", dated March 1984, and which shall be known as the Henry M. Jackson Wilderness. The Henry M. Jackson Wilderness is designated in remembrance of Senator Jackson's deep, personal feelings for this area, especially that portion known as "Monte Cristo," which he visited often as a boy. Through such

designation, the Congress recognizes his unparalleled contributions to the natural resource policies of the Nation in general and Washington State in particular;

(9) certain lands in the Gifford Pinchot National Forest, Washington, which comprise approximately twenty thousand six hundred and fifty acres, as generally depicted on a map entitled "Indian Heaven Wilderness—Proposed", dated March 1984, and which shall be known as the Indian Heaven Wilderness;

(10) certain lands in the Okanogan and Wenatchee National Forests, Washington, which comprise approximately one hundred fifty thousand eight hundred and thirty-three acres as generally depicted on a map entitled "Lake Chelan-Sawtooth Wilderness—Proposed", dated March 1984, and which shall be known as the Lake Chelan-Sawtooth Wilderness;

(11) certain lands in the Gifford-Pinchot National Forest, Washington, which comprise approximately fourteen thousand four hundred and twenty acres, as generally depicted on a map entitled "Mount Adams Wilderness Additions—Proposed", dated March 1984, and which are hereby incorporated in and shall be deemed to be a part of the Mount Adams Wilderness as designated by Public Law 88–577;

(12) certain lands in the Mount Baker-Snoqualmie National Forest, Washington, which comprise approximately one hundred seventeen thousand nine hundred acres as generally depicted on a map entitled "Mount Baker Wilderness—Proposed", dated March 1984, and which shall be known as the Mount Baker Wilderness;

(13) certain lands in the Olympic National Forest, Washington, which comprise approximately fifteen thousand six hundred and eighty-six acres, as generally depicted on a map entitled "Mount Skokomish Wilderness—Proposed", dated March 1984, and which shall be known as the Mount Skokomish Wilderness;

(14) certain lands in the Mount Baker-Snoqualmie National Forest, which comprise approximately fourteen thousand three hundred acres, as generally depicted on a map entitled "Noisy-Diobsud Wilderness—Proposed", dated May 1984, and which shall be known as the Noisy-Diobsud Wilderness;

(15) certain lands in the Mount Baker-Snoqualmie and Wenatchee National Forests, Washington, which comprise approximately fifty thousand nine hundred and twenty-three acres as generally depicted on a map entitled "Norse Peak Wilderness—Proposed", dated March 1984, and which shall be known as the Norse Peak Wilderness;

(16) certain lands in the Okanogan National Forest, Washington, which comprise twenty-four thousand three hundred and twenty-six acres, as generally depicted on a map entitled "Pasayten Wilderness Additions—Proposed", dated March 1984, and which are hereby incorporated in and shall be deemed to be part of the Pasayten Wilderness as designated by Public Law 88-577;

(17) certain lands in the Kaniksu and Colville National Forests, Washington, which comprise approximately forty-one thousand three hundred and thirty-five acres, as generally depicted on a map entitled "Salmo-Priest Wilderness—Proposed", dated March 1984, and which shall be known as the Salmo-Priest Wilderness;

(18) certain lands in the Gifford Pinchot National Forest, Washington, which comprise approximately fifteen thousand seven hundred and twenty acres, as generally depicted on a map entitled "Tatoosh Wilderness—Proposed", dated March 1984, and which shall be known as the Tatoosh Wilderness;

(19) certain lands in the Olympic National Forest, Washington, which comprise approximately seventeen thousand two hundred and thirty-nine acres, as generally depicted on a map entitled "The Brothers Wilder-

ness—Proposed", dated March 1984, and which shall be known as The Brothers Wilderness;

(20) certain lands in the Gifford Pinchot National Forest, which comprise approximately six thousand and fifty acres, as generally depicted on a map entitled "Trapper Creek Wilderness—Proposed", dated March 1984, and which shall be known as the Trapper Creek Wilderness;

(21) certain lands in the Wenatchee and Gifford Pinchot National Forests, Washington, which comprise approximately one hundred and sixty-six thousand six hundred and three acres, as generally depicted on a map entitled "William O. Douglas Wilderness—Proposed", dated March 1984, and which shall be known as the William O. Douglas Wilderness. The William O. Douglas Wilderness is designated in remembrance of Justice Douglas' lifelong efforts to preserve the Cougar Lakes area for the recreational benefits of future generations. Through such designation, the Congress recognizes his persistent concern for the Cougar Lakes area, and his contribution to conservation efforts throughout the Nation; and

(22) certain lands in the Olympic National Forest, Washington, which comprise approximately two thousand three hundred and twenty acres, as generally de-

picted on a map entitled "Wonder Mountain Wilderness—Proposed", dated March 1984, and which shall be known as the Wonder Mountain Wilderness.

SEC. 4. (a) As soon as practicable after this Act takes effect, the Secretary of Agriculture shall file the maps referred to in section 3 of this Act and legal descriptions of each wilderness area designated by section 3 of this Act with the Committee on Energy and Natural Resources, United States Senate, and the Committee on Interior and Insular Affairs, House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such legal descriptions and maps may be made. Each such map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(b) Subject to valid existing rights, each wilderness area designated by section 3 of this Act shall be administered by the Secretary of Agriculture in accordance with the provisions of the Wilderness Act of 1964 governing areas designated by that Act as wilderness areas, except that with respect to any area designated in section 3 of this Act, any reference in such provisions to the effective date of the Wilderness Act of 1964 shall be deemed to be a reference to the effective date of this Act.

SEC. 5. (a) The Congress finds that—

(1) the Department of Agriculture has completed the second roadless area review and evaluation program (RARE II);

(2) the Congress has made its own review and examination of National Forest System roadless areas in the State of Washington and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II Final Environmental Statement (dated January 1979) with respect to National Forest System lands in States other than Washington, such statement shall not be subject to judicial review with respect to National Forest System lands in the State of Washington;

(2) with respect to the National Forest System lands in the State of Washington which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purposes of the initial land management plans required for

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such lands by Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976 to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time the Secretary of Agriculture finds that conditions in a unit have significantly changed;

(3) areas in the State of Washington reviewed in such final environmental statement or referenced in subsection (d) and not designated as wilderness upon enactment of this Act or identified for special management in section 7 or 8 of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Planning Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness

designation prior to or during revision of the initial land management plans;

(4) in the event that revised land management plans in the State of Washington are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Washington for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to:

(1) those National Forest System roadless lands in the State of Washington in the Gifford Pinchot, Olympic and Umatilla National Forests which were evaluated in the Upper Cispus; Lone Tree; Clear Creek; Upper Lewis; Trapper-Siouxon; Soleduck; Quinault; Oregon Butte; and Shelton Cooperative Sustained Yield Unit unit plans; and

(2) National Forest System roadless lands in the State of Washington which are less than five thousand acres in size.

SEC. 6. (a) In furtherance of the purposes of the Wilderness Act of 1964, certain public lands in Franklin County, Washington, which comprise approximately seven thousand one hundred and forty acres, as generally depicted on a map entitled "Juniper Dunes Wilderness—Proposed" and dated March 1984, are hereby designated as the Juniper Dunes Wilderness and, therefore, as a component of the National Wilderness Preservation System.

(b) Subject to valid existing rights, the Juniper Dunes Wilderness shall be administered by the Secretary of the Interior in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness. For purposes of this section, any references in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this section, any reference to the Secretary of Agriculture with regard to the administration of such areas shall be deemed to be a reference to the Secretary of the Interior, and any reference to wilderness areas designated by the Wilderness Act or designated national forest wilderness areas shall be deemed to be a reference to the Juniper Dunes Wilderness designated by this section. For purposes of this section, the reference to national forest rules and regulations in the second sentence of section 4(d)(3) of the Wilderness Act shall be deemed to be a reference to rules and regulations applicable to public lands, as defined in section 103(e) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701, 1702).

(c) As soon as practicable after this Act takes effect, the Secretary of the Interior shall file a map and legal description of the Juniper Dunes Wilderness with the Committee on Energy and Natural Resources of the United States Senate and with the Committee on Interior and Insular Affairs of the United States House of Representatives, and such map and description shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in the legal description and map may be made. The map and legal description shall be on file and available for public inspection in the offices of the Bureau of Land Management, Department of the Interior.

SEC. 7. (a) In order to assure the conservation and protection of certain natural, scenic, historic, pastoral, and fish and wildlife values and to provide for the enhancement of the recreational values associated therewith, the Mount Baker National Recreation Area located in the Mount Baker-Snoqualmie National Forest, Washington, is hereby established.

(b) The Mount Baker National Recreation Area (hereafter referred to as the "recreation area") shall comprise approximately eight thousand six hundred acres as generally depicted on the map entitled "Mount Baker National Recreation Area—Proposed", dated March 1984, which shall be on file and available for public inspection in the office of the Chief, Forest Service, Department of Agriculture.

(c) The Secretary of Agriculture shall, as soon as practicable after the date of enactment of this Act, file a map and a legal description of the recreation area with the Committee on Energy and Natural Resources, United States Senate, and the Committee on Interior and Insular Affairs, House of Representatives, and each such map and legal description shall have the same force and effect as if included in this Act: *Provided,* That correction of clerical and typographical errors in such legal description and map may be made. The map and legal description shall be on file and available for public inspection in the office of the Chief of the Forest Service, Department of Agriculture.

(d) The Secretary shall administer the recreation area in accordance with the laws, rules and regulations applicable to the national forests in such manner as will best provide for (1) public outdoor recreation (including but not limited to snowmobile use); (2) conservation of scenic, natural, historic, and other values contributing to public enjoyment; and (3) such management, utilization, and disposal of natural resources on federally owned lands within the recreation area which are compatible with and which do not significantly impair the purposes for which the recreation area is established.

SEC. 8. (a) The Congress finds that certain lands within the Mount Baker-Snoqualmie and Okanogan National Forests along the North Cascades Highway have remarkable scenic values, representing a unique aesthetic travelway through the Cascade Mountains in the northern portion of the State of Washington. The value of preserving this scenic area and assuring that it is managed in such manner that its scenic beauty and recreation qualities are maintained for future generations is recognized by the Congress.

(b) In order to preserve and protect these values, certain National Forest System lands comprising approximately eighty-seven thousand seven hundred and fifty-seven acres, as generally depicted on a map entitled "North Cascades Scenic Highway—Proposed" and dated March 1984, shall be administered by the Secretary of Agriculture to preserve the scenic value of this highway corridor. Management activities, including resource use and development, within the area may be permitted by the Secretary of Agriculture if the existing scenic values of the area are maintained.

(c) Management direction for the area that recognizes these scenic values shall be included in the forest plans developed for the Okanogan and Mount Baker-Snoqualmie National Forests in accordance with section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended.

SEC. 9. Congress does not intend that designation of wilderness areas in the State of Washington lead to the creation of protective perimeters or buffer zones around each wilderness area. The fact that nonwilderness activities or uses can be seen or heard from areas within the wilderness shall not, of itself, preclude such activities or uses up to the boundary of the wilderness area.

SEC. 10. The Secretary of Agriculture shall exchange lands and interests in lands with Weyerhaeuser Company in accordance with the following provisions:

(a) If the Weyerhaeuser Company offers to the United States the following described lands and interests in lands the Secretary shall accept such lands and interests therein:

KING AND PIERCE COUNTIES, WASHINGTON

	Acres
Township 19 north, range 10 east (W.M.):	
Section 25: All fractional	643.43
Township 19 north, range 11 east (W.M.):	
Section 31: All fractional	647.61

(b) Upon acceptance of title by the United States to such lands and interests therein, the Secretary shall convey to Weyerhaeuser Company all right, title, and interest of the United States to the following described National Forest System lands and interests therein:

KING COUNTY, WASHINGTON

	Acres
Township 21 north, range 10 east (W.M.):	
Section 20: Lots 2, 4, 6, 7, 10, 11, 12, and 14, south half northwest quarter, southwest quarter	355.58
Section 28: North half southwest quarter and southeast quarter	240.00
Section 30: All	640.00

(c) The instruments of conveyance respecting the lands and interests exchanged under this section may contain such reservations as may be agreed upon by the Secretary and Weyerhaeuser Company.

(d) It is the sense of Congress that the exchange authorized pursuant to this section should be completed within ninety days after the date of the enactment of this Act. The

Secretary shall use other existing acquisition authorities if the exchange authorized by this section is not completed within a reasonable time after the expiration of such ninety day period.

(e) The Secretary shall certify in writing that to his satisfaction, at the time of conveyance, there has been no reduction in the values of the lands or interests therein which formed the basis for the exchange provided for in this section. If the Secretary finds that a reduction in the value of the lands or interests therein has occurred, the Secretary shall not carry out the exchange for those lands or interests so affected and acquisition of those lands and interests shall be undertaken by the Secretary in accordance with other provisions of law.

SEC. 11. Subject to valid existing rights, the Federal lands in Walla Walla and Columbia Counties, Washington, located within the Mill Creek Watershed roadless area as identified in the Oregon Butte Unit Plan are hereby withdrawn from all forms of location, entry, and patent under the United States mining laws and from disposition under all laws pertaining to mineral leasing and all amendments thereto.

Passed the Senate May 24 (legislative day, May 21), 1984.

Attest: WILLIAM F. HILDENBRAND,

Secretary.

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Mr. **Seiberling**. Our first witness today is the Honorable Joel Pritchard of the first district of Washington. He is not here yet so we will proceed with the Honorable Don Bonker of the third district of Washington.

Why don't you all come up to the table? Honorable Norm Dicks, Honorable Mike Lowry, Honorable Sid Morrison, and the Honorable Rod Chandler. We don't usually get such an impressive panel of colleagues here. I welcome you all, and thank you very much for coming to our hearing.

Mr. **Young**. Mr. Chairman?

Mr. **Seiberling**. Mr. Young.

Mr. **Young**. I am glad we have the TV cameras here today. This really gives Congress a bright outlook, you know, compared to what we have been seeing on the action of forests. I welcome the Washington delegation.

Mr. **Seiberling**. I don't know, we have passed five wilderness bills this week, I think that is a pretty good average.

All right, Mr. Bonker.

[Prepared statement of Hon. Don Bonker may be found in appendix II.]

STATEMENT OF HON. DON BONKER, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Bonker**. Thank you, Mr. Chairman. I am sure if those cameras scan the room they will see that it is full today which will demonstrate the interest in this legislation.

I might lead off by saying that the Washington State delegation unanimously supports this legislation. The process has been extraordinary. Mr. Chairman, you and the ranking member are both familiar with this Washington State wilderness issue. You have dealt with it as long as we have.

It is an attempt, as you know, to balance those inherent conflicting interests, of trying to preserve much of our valued natural resource in the Northwest, and at the same time, meet the definite economic needs of the area.

Such a balance is not easy to achieve. It involves all of the members of the delegation since the recommended inclusions involve the entire State.

I say the process has been extraordinary, because this is the first time in my memory where the principals, that is, the two Senators, and the Representatives from the House, have actually gone into a room and closed the door, and without the assistance of staff, have poured over these maps for 10 marathon hours. This was a real shirtsleeve operation where we took off our coats and worked over, virtually, every spot on the map that had to do with wilderness designation.

So I can say that all of us are fully familiar with the boundaries in our respective areas. The two Representatives from Seattle, Mr. Pritchard and Mr. Lowry, were well informed of all the other areas that were being dealt with in the legislation.

It also meant that the Members were able to deal with these many conflicts and were able to reconcile the differences to reach this consensus position.

So I think that it is safe to say that we come here really in a sense of not only unity, but pride, because the process was a very difficult one; and much credit goes to the bipartisan effort that has been put forth by both our Senators and the House Members to make this bill a reality today.

So we are hopeful that the committee will act expeditiously on our recommendation and report the bill to the full committee so that we can see conclusive action on the Washington State wilderness bill sometime this year.

Thank you, Mr. Chairman.

Mr. SEIBERLING. Thank you.

I must say, if all delegations could achieve this same kind of result, it certainly would make our life on this subcommittee a lot simpler.

Mr. Young comments that it wouldn't be as much fun. [Laughter.]

Sometimes it's fun and sometimes it isn't.

Before we go any farther, why don't we hear from the other members of the delegation? Mr. Dicks?

STATEMENT OF HON. NORMAN D. DICKS, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. DICKS. Thank you, Mr. Chairman. I want to echo my colleague from the third district, Congressman Bonker's very excellent statement. I think he has properly summarized this and has pointed out the really magnificent kind of bipartisan cooperation that we have had in our State.

I think it really does say something about the people of Washington State. Our State has a great sensitivity to environmental concerns; a great desire to preserve for future generations, certain areas in our State that have truly magnificent wilderness characteristics. I think it is something that is such a strong trait of the people of the Northwest that this kind of unanimity within the delegation really was possible because of what the people of our State really do want.

I want to say that I have enjoyed working with my colleagues on this particular project. We did have a unique opportunity to sit together for some 10 to 12 hours and really iron out this bill. I think it was done in a good way. Obviously, with anything of this nature, there is sensitivity. Every member of this delegation, too, I think, strongly supports more work in reforestation and a good solid program of timber sales in the Northwest, too. We really do believe in a balanced approach to these kinds of questions.

There are other issues of interest to the forest products industry where this group almost in a unanimous way would be supportive of the other interests in our State as well. So it is a balanced good bill and one that I think deserves this committee's support.

I might add, I want to compliment the chairman and the ranking member—they have worked very hard for many years on these bills. It is a tough issue, but we really do appreciate the work that has been done; and also, the work that you have done in trying to negotiate with the Senate to come up with appropriate release language so that these bills could go forward. I know that was a very difficult issue, and I want to compliment the chairman, in particular, for the way he has handled this. I think he has done a great service to the entire Congress.

Mr. **Seiberling**. Thank you very much.

I see that we have three new additions to the panel. One of them wasn't on our schedule, but since he is the dean of the delegation, I would like to call on our distinguished colleague Mr. Foley. Perhaps you would like to trade seats there, and we will proceed. This is a real event for this subcommittee to have the entire delegation appear before us.

[Prepared statement of Hon. Thomas S. Foley may be found in appendix II.]

STATEMENT OF HON. THOMAS S. FOLEY, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Foley**. Mr. Chairman, the fact the entire delegation is here is testimony, as my colleagues have said and will say, that this delegation is very deeply grateful to the subcommittee for its prompt consideration of this issue and for its longstanding interest in the development of Washington wilderness.

I think in particular I would have to single out you, Mr. Chairman, for your concern over the years that this matter has been under consideration, we all deeply appreciate your consideration along with the other members of the subcommittee of this delegation's viewpoint.

We have reached a conclusion, as you know, jointly with our colleagues in the Senate, on a bill we would like to recommend to this subcommittee. It is a result of many years of consideration and many weeks of intense deliberation by the delegation members. While the final responsibility, of course, rests with the subcommittee and the committee, we urgently hope that you will give consideration to the matters that have been brought before you here in an absolutely unanimous fashion by the Washington State delegation.

I again express our appreciation to you, the members of the subcommittee, and the full committee for scheduling this hearing promptly and for your concern about the development of appropriate wilderness in the State of Washington.

We look forward with confidence to the judgment of the subcommittee.

Mr. **Seiberling**. Thanks. I think I speak for the entire subcommittee in saying that if every delegation could achieve this kind of result, our life would be much simpler here. Though, as Mr. Young mentioned when I said this earlier, it might not be quite as much fun. As you know, sometimes it is fun and sometimes it is not. But we do appreciate the tremendous effort that has gone into this. This is the kind of thing I have been trying to encourage every delegation to do, to get the input of all of the interested groups and see if you can't work out something that, while it doesn't completely satisfy everyone, is acceptable to most of the interested group.

I started out in order of seniority so why don't I call on our colleague Mr. Pritchard at this point?

[Prepared statement of Hon. Joel Pritchard may be found in appendix II.]

STATEMENT OF HON. JOEL PRITCHARD, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Pritchard**. Mr. Chairman, and other members of the committee:

We are very pleased that after many, many years of effort, we have been able to bring to you a recommendation which is unanimously supported by all the delegations, including our two Senators.

It is a compromise, but we think it is a good one. We are most appreciative for your attention and help. As I say, we bring it for your consideration, we know it has to come through you, you people have to vote it through the committee. We hope you agree with the Washington delegation and put it forth for a vote.

After we have gone through all of this travail, why, of course, we have some feeling of anxiousness to get the job completed.

Thank you very much.

Mr. **Seiberling**. Thank you.

Mr. Lowry?

[Prepared statement of Hon. Mike Lowry may be found in appendix II.]

STATEMENT OF HON. MIKE LOWRY, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Lowry**. Thank you, Mr. Chairman.

I have submitted a prepared statement for the record and with your consent, would like to read the whole thing, Don—no. [Laughter.]

Forty-seven pages. [Laughter.]

Mr. **Seiberling**. Without objection, your entire statement will be included in full.

Mr. **Lowry**. Thank you.

Just like all of us, I want to about second, third, or fourth what has been said before, we very much appreciate the attention to the State of Washington this subcommittee has provided.

I know the chairman and other members of the subcommittee have been out to the State and have looked at these vital wilderness areas that are contained within this bill. I, like the rest of our delegation, would like to urge the subcommittee to give favorable consideration to the legislation that is before you.

Mr. **Seiberling**. Thank you very much. We appreciate very much your efforts.

Mr. Morrison?

STATEMENT OF HON. SID MORRISON, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Morrison**. Thank you, Mr. Chairman, and thanks to the subcommittee. The ground rules which you established, Mr. Chairman, were a challenge to us. As we worked together as a delegation, very frankly, reaching a compromise such as we have, was one of my goals. I talked about it in 1980 when I first ran for this job, and

I am pleased to be part of a team that was willing when it all came down to the bottom line to really work together.

I think it is significant that we worked areas and not acres, that is, we looked very specifically at each of the proposals and we were not concerned about a certain number. We didn't have a goal in mind, but it added up to a significant area—and I think something that will please many of the parties in the State of Washington.

Approximately half of the wilderness that is proposed is in the central Washington area, which is in my district. I took time to sit through, Mr. Chairman, all of the hearings that the Senate held, 2 full days out in the State of Washington, with Senator Gordon, and the late, great Senator Jackson. I just have to say on behalf of the delegation, I think Scoop would be pleased with the legacy that he leaves in this particular proposal—one of the wilderness areas being named after him.

I would like to mention to you, Mr. Chairman, since you were there, and have been on a number of occasions, that we did include Fifes Peak, which was one of the areas you liked the best. It is in the northern unit of the Cougar Lakes, now called Norse Peak. It is there and will be for all times.

Mr. **Bonker**. Why don't we call it Seiberling Peak?

Mr. **Morrison**. Well, we thought about that.

Mr. **Seiberling**. No; we should limit it to people in the State.

Mr. **Morrison**. I would like to invite all of the subcommittee to what I consider is going to be a most significant event in the State of Washington, and that is when Congressman Dicks moves the spotted owls so that we can have the Clearwater Wilderness which was one of the more controversial areas. He agreed to move the spotted owls from one area over into another one. We think that is going to become a national event within the history of the State of Washington. [Laughter.]

Mr. **Seiberling**. You are going to put salt on their tails. [Laughter.]

Mr. **Morrison**. I am not sure of his technique, he is keeping this all very secret, but it is going to be important.

Again, thanks, Mr. Chairman. I am pleased to be part of this team and we are pleased to have this opportunity to encourage the subcommittee to move this bill on rapidly, and we would like to get it behind us now.

Mr. **Seiberling**. Thank you very much.

Mr. Chandler?

[Prepared statement of Hon. Rod Chandler may be found in appendix II.]

STATEMENT OF HON. ROD CHANDLER, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Chandler**. Just very briefly, Mr. Chairman. I think if you had taken 10 maps like that one without any blue on it, 6 months ago, and assigned each of us the job of drawing our proposal for a wilderness area, not one of the maps would have looked like that nor would one of them have been the same. Some would have had considerably more wilderness area than is represented by this compromise; some would have had considerably less. The job, the task, that we started out with, was to take that diversity of opinion and mold it into a compromise.

I think a point that my colleague Mr. Dicks made is vitally important here. That is the fact that we have been able to reach a compromise on the release language. Frankly, Mr. Chairman, that is not a compromise we can take credit for; that is to your credit and to the Senators who got together and hammered that out. I think that is very worthy of extra mention here.

Also, the rumor that went around that the agreement on the Clearwater Wilderness area came about only when Mr. Dicks wrestled me to the floor and stood on my chest, is not true. He had to jump up and down in order to get that, but with his hulk I finally agreed. So I wanted to clear that up that that was the case. Also, the assurance that he would move those spotted owls.

[Laughter.]

Mr. **Seiberling.** I want to thank this delegation again. You mentioned, Mr. Morrison, the late Senator Jackson. I had many conversations with him, I know that he was very anxious to get this kind of result. I agree with you, he would have been very, very gratified could he see what has been achieved today and see the unanimous presentation that this delegation has made.

Again, it is a real thrill for us on this subcommittee.

Mr. Pritchard?

Mr. **Pritchard.** Mr. Chairman, I think it has been agreed there will be a portion of this wilderness named after Justice Douglas. Is that right?

Mr. **Seiberling.** Cougar Lakes has an area, I understand, that is slated to be named for him.

Mr. **Pritchard.** I remember you and I were in that together when you came out to visit, and I just think that is something that——

Mr. **Seiberling.** I think that is appropriate. I have read Justice Douglas' book, "Men and Mountains," and there are some very stirring passages in there about his travels through the mountains in the State of Washington. He was one of the State's greatest promoters, unquestionably, and I certainly think it is appropriate that that is being done.

I have no more comments.

Mr. **Young.** Mr. Chairman?

Mr. **Seiberling.** I recognize my colleague from Alaska.

Mr. **Young.** I think most of you know how I feel about wilderness, that it is not properly inventoried. I have spoken on this subject at great length. But I believe that you have reached a compromise acceptable to this delegation. It has taken a lot of consideration concerning both the need for employment in your State and the need for wilderness to be used by the larger metropolitan areas.

But I hope that you all realize, and other than Mr. Pritchard not being with us, unfortunately, next year, when all of you return the years following, I hope that you remember this day, because if you think you have seen the last of the wilderness question in Washington State, you are wrong.

I would suggest respectfully you have a considerable amount of BLM land and there will be another time and another effort made.

I want you to remember that, and if you can work together again—but, as you have done on this, I guess it will have to come before this committee.

But I would suggest respectfully that as time goes by, those who would like to put more land in the wilderness will not relinquish or not relent from their drive. Already in Alaska they have a proposal out they call ANILCA II. After 147 million acres, they want 79 million acres more put in. It is a battle I have to fight alone. I don't have a delegation like you have.

Unfortunately, I, again, would stress that I have nothing against wilderness if we take into consideration the other facts—the human fact, the need for resources, the resources being available to the rest of the people.

I think you have done this pretty well in this bill, but keep in mind that this is not the last, and you will come back to that group and say, wait a minute, we worked in 1984, we worked together, and we gave you a considerable amount of land, why are you asking for more now? Is there a real reason for it?

So, again, I want to congratulate this group, primarily the House side. I will say this very honestly, I am very fond of this body. I think you people—the House works for the people a great deal in better harmony than the Senators do. Sometimes the Senators have an idea that it is just their ball game. And I think that in looking at this six group here, seven of you, I am sure that you have got the best end of this program. Again, congratulations.

Mr. DICKS. Mr. Chairman, if I might add one comment.

Mr. SEIBERLING. Mr. Dicks.

Mr. DICKS. First of all, I want to thank my colleague from Alaska. This is uniquely one of those opportunities, I must say, in which the Members of the House and Senate did work together—in total harmony, actually. And as someone who has spent a number of years on the staff of Senator Magnuson, I can tell you it was the best tradition of our State.

I also think it is appropriate on the record here, just to say, as a former staff person, how much all of us, appreciated the work of our staffs and the work of the Senators' staffs, in helping prepare the legislation. They did a tremendous amount of work, and this is another example of very professional and good staff work, and we appreciate the staff work of this committee as well.

Mr. SEIBERLING. All right, thank you.

Mr. Lagomarsino?

Mr. LAGOMARSINO. Thank you, Mr. Chairman.

I want to congratulate all of the members of the delegation, too. I must say that I am very jealous—I don't think California could ever agree on anything, let alone wilderness. [Laughter.]

I do not know how you did it, maybe it is because there are far fewer of you than there are of us, for one thing. But I think, nevertheless, it is a real accomplishment, and I commend you.

Mr. SEIBERLING. Mr. Hansen?

Mr. HANSEN. Thank you, Mr. Chairman.

I also congratulate this group. We have done similar things in Utah. We have our whole delegation that has agreed. I am assuming your Governor is agreeing also.

I hope you have got all of the Sierra Club and wilderness clubs and the cattlemen and the oilmen, the timbermen, and all of those people. And even at that, I think you are going to find some situations where somebody in New York doesn't agree, and you may find yourself in a hooker again. There is many a slip.

We worked 3 years on our bill, and we do not have it done. I appreciate the chairman's work and the help he has given us on it, but, boy, there are a lot of personalities that get involved in these things. And even though someone pounded on your chest a few times, you may find he may pound again, and even hard, and he will bring an elephant along to jump on it next time, and you may lose a few more things.

I do not mean to sound sour grapes but this thing never goes away, you are constantly facing it. You will have the parks—if you have any parks in your area—you will also have BLM, and I guess that is part of the act. But I am just pleased as can be to see all of you sitting here and agreeing, that is so rare. In my years on this committee, I have never seen that before, except for Utah, where you have that kind of agreement, and except for Don Young from Alaska, and it is easy for him to do it with just one.

It is very commendable to see you gentlemen here. I commend you for what you have done.

Mr. SEIBERLING. Thank you. Mr. Marlenee?

Mr. MARLENEE. No comments, no questions, no statement.

Mr. SEIBERLING. Thanks.

I would just like to point out that upon the completion of this bill we will have two of the three Pacific Coast States with RARE II wilderness matters settled. California is still pending in the Senate, but I am hopeful that with the example of the other two west coast States that that will prod a solution in California.

I would just like to say for the record that there are no BLM wilderness study areas in the State of Washington, as far as I know at this time.

Mr. YOUNG. Would the gentleman yield? That is today, wait for tomorrow.

Mr. SEIBERLING. I can't predict tomorrow.

Thank you very much, gentlemen.

All of your prepared statements, without objection, will be included in the record in full. Thanks.

Our next witness is Mr. Douglas W. MacCleery, Deputy Assistant Secretary, Natural Resources and Environment, U.S. Department of Agriculture.

Welcome, Mr. MacCleery.

[Prepared statement of Hon. Douglas W. MacCleery may be found in appendix II.]

STATEMENT OF HON. DOUGLAS W. MacCLEERY, DEPUTY ASSISTANT SECRETARY, NATURAL RESOURCES AND ENVIRONMENT, U.S. DEPARTMENT OF AGRICULTURE

Mr. MACCLEERY. Thank you.

Mr. Chairman, I am pleased to have this opportunity to present the administration's views on the Washington wilderness bill. I would like to summarize my statement, if you do not mind.

Mr. SEIBERLING. All right. Without objection, your statement will be included in the record in full.

Mr. MACCLEERY. Thank you.

Before giving our recommendations on this bill, I would like to offer a few general comments about wilderness in the State of Washington. About 29 percent of the State of Washington is federally owned. National Forest System lands total about 9 million acres, or about one-fifth of the State. About 1.5 million of these Federal lands in Washington are currently in the National Forest Wilderness System, virtually all of this is the National Forest System. Existing wilderness accounts for about 17 percent of the National Forest System in the State of Washington and for 3.6 percent of Washington's total land area.

Major portions of the North Cascades, Mount Rainier, and Olympic National Parks are roadless and undeveloped. Together, existing national forest wildernesses and national parks account for one-quarter of all the Federal land in Washington and for 7 percent of the State's total land area. About 3.4 million acres in Washington are now in either wilderness, national parks, or in the Mount St. Helens volcanic area.

About 29 percent of Washington's commercial forest land area is on the national forest. However, only 56 percent of National Forest System lands in the State is currently classified as commercial forest land.

Existing wilderness in Washington does contain considerable productive forest land. It is not just rocks and ice, as has sometimes been claimed. Nearly 40 percent of the present wilderness in Washington is acreage identified as productive forest reserve. These are lands which otherwise would be classified as commercial forest land were they not withdrawn for wilderness .

This 40 percent figure for Washington is comparable to the percent of forest land in the National Forest System portion of the wilderness system as a whole.

Under existing National Forest System plans, only about 3.5 million acres of the national forest—commercial forest land base in Washington is located in areas that do not require limitations to achieve nontimber objectives as a primary management goal. This is only 39 percent of the total National Forest System lands in Washington. It just barely exceeds the 3.4 million acres in existing wilderness, national parks, and the Mount St. Helens Monument.

These figures state the situation even before the consideration of additions to the wilderness system in Washington. RARE II recommendations for wilderness were strongly influenced by the limited area of National Forest System lands available for timber management activities as well as for nonwilderness uses.

If S. 837 is enacted, the total national forest wilderness in Washington would be 2.6 million acres and represent about 28 percent of the total National Forest System land in the State. Including national parks and monuments, there would be 4.5 million acres overall, representing nearly 38 percent of all Federal lands in the State.

There would be, however, only about 3 million acres of National Forest System lands in Washington forest lands in which timber management would occur, or could occur, without significant limitations to achieve other primary values.

These figures make it graphically clear that wilderness is not a scarce resource in the State of Washington. It would be more accurate to say that Federal forest land available for a full range of forest base multiple-use activities is really the scarce resources. And as demands for nontimber multiple uses of the national forest increase in the future, this category of land will become even more limited.

That is by way of background and now I would like to go into our recommendations on the bill.

Of the 22 million acres proposed for additional wilderness designations in S. 837, all were evaluated by RARE II. In previous testimony on the bill, the administration utilized the Forest Service's professional evaluation and recommendations in RARE II, as a primary basis for its own recommendations to support key additions to the National Wilderness Preservation System in Washington, while minimizing the impact on other resource uses in the State, including timber, minerals, and recreation uses not compatible with wilderness.

Recognizing that Washington is already rich in wilderness, our objective was to assure that a balance between wilderness and other multiple uses in the State was reached. Even with our recommendations, which are considerably less than now proposed in the Senate-passed bill, the impacts would be great on certain resource interests. For example, the implemention of our recommendations alone would create a 40-million-board-foot reduction in the annual allowable timber harvest.

Most of the new proposals are in the area of the Cascade Mountains in central Washington which already include approximately 3.4 million acres of designated wilderness and two major national parks.

The critical need is not for additional wilderness in this area, but for land to meet other resource objectives, including forms of recreation not permitted or readily enjoyed in wilderness.

Since taking office, this administration has supported additions of 5.4 million acres of National Forest System land to the wilderness system nationwide. It is clear from this that the administration is clearly not opposed to the concept of wilderness.

I believe, however, that the need for more wilderness must be balanced with society's needs for other resources which would be limited or precluded by wilderness designation.

We do recognize the effort that has been made, and was made, by the Washington delegation and know that they sought to develop a consensus, and in doing so, to reduce the impact of S. 837 on nonwilderness resource uses. Even so, the impact of designating over 1 million acres of new wilderness will have a permanent adverse impact on these nonwilderness uses even in a resource rich State such as Washington.

Changes in use patterns of the recreating public changes in an anticipated log supply, losses in jobs, and in economic activity, and reductions in the availability of mineral resources are but some of these impacts.

Included in the bill are productive forest lands which would contribute an estimated 75 to over 100 million board feet of annual programmed harvest each year. This 75 to over 100 million board feet represents an immediate harvest reduction or falldown that must occur as a result of this bill.

We recognize that through considerations that were made by the Washington delegation in developing a compromise and in drawing wilderness boundaries, the impact of many of the proposed wilderness additions and other resource uses were reduced. The delegation is to be commended for these efforts.

There does remain, however, several areas, the inclusion of which, causes us particular concern. We strongly oppose the inclusion of the Clearwater and Norse Peak areas. These two areas alone contribute approximately 13 million board feet of timber annually to local economies which are already being adversely affected by other wilderness designations nearby.

Likewise, we are strongly opposed to the decision to include very small portions of two other wildernesses which would result in unnecessarily high transportation costs in managing adjacent nonwilderness lands.

The first of these is the inclusion of the Deer Pass area in the Boulder River proposal. We do not agree with the designation of the Boulder River wilderness overall, but to include the small area around Deer Pass to preclude possible connection of a road that would not have any effect upon management of the adjacent area as wilderness is not justifiable. Only 240 acres of deletions would be necessary to correct this problem.

A second example is in the Wallace Creek area of the Mount Baker Wilderness proposal where future road costs could be reduced by nearly $400,000 if a small exclusion were made from the present proposal—about 100 acres are involved here.

There are several other small adjustments in boundaries we believe should be made, and have provided these suggestions to the committee.

We strongly recommend amendments be made to delete the 14,000-acre Clearwater Wilderness proposal and the 51,000-acre Norse Peak Wilderness proposal, 240 acres of the 49,000-acre Boulder River Wilderness proposal, and 100 acres of the 18,000-acre Mount Baker Wilderness proposal. The administration opposes S. 837 unless these particular areas are deleted from the bill.

Moving to other aspects of the bill, we are in strong support of the inclusion of the compromise release language and sufficiency language in the bill; and add that we are extremely pleased that this issue has been resolved.

Mr. Chairman, I would like to depart for a moment from my prepared text and take the opportunity to commend you for your act and personal, extremely instructive support and involvement in the negotiation with Senator McClure which led to the successful compromise in release language.

The compromise, in our view, was a splendid achievement. We strongly support the release language that finally evolved. I think it represents one of the most significant legislative achievements, at least in the last 2 years, in the area of national forest policy and management.

There are many people now who are making judgments as to who won and who lost with respect to that compromise. I think that misses the significance of the achievement. In reality, everyone won, except perhaps those whose primary objective was to frustrate and hamstring national forest management through endless appeals and lawsuits.

The compromise paves the way for a movement of many wilderness bills which had previously been stalled; it provides reasonable assurance that areas not designated wilderness will be available for a variety of multiple uses, at least until the next forest plan is adopted in 10 to 15 years.

It also shifts the focus of the debate to where it should be, away from the rather esoteric concept of what release is, on to the more pertinent question as to how much wilderness should there be in various States, and what are the specific areas that are appropriate for that designation. That is where the discussion should be and I think from now on will be.

Mr. Chairman, your involvement in the process that led to the release compromise was extremely constructive and the Department of Agriculture commends you for it.

Mr. SEIBERLING. Thank you. I think the record ought to also show that the Department itself, and Chief Peterson in particular, are due a great deal of credit for their help in working that out; and, of course, Mr. Udall himself, the Chairman of the Interior Committee, took an active role in the final negotiations with Senator McClure. I think that the results are gratifying and I appreciate the constructive comments that you just made on that subject.

Getting back to the wilderness bill itself, I understand that the delegation considered every one of these points that you have raised in which you expressed some disagreement, and in particular the proposed corridor to allow a road in the Deer Pass and the Boulder River, and also the Wallace Creek area of the Mount Baker Wilderness proposal, and they concluded that this is the way they felt it ought to go.

Staff thinks they may not have known about the Wallace Creek comment until today.

Mr. MACCLEERY. We would be glad to work with you.

Mr. SEIBERLING. Between now and the full committee, we will have an opportunity to discuss it with them. But unless there is some absolutely overwhelming reason for changing this, I think it has come this far—and if at all possible and reasonable, I think we ought to go along with the delegation.

I have no other comments except to say that I feel that the delegation's views should be given a great deal of weight. They are as interested as anyone in a balanced economy for the State of Washington.

As I said, when we held a hearing out there a couple of years ago, we would, in Ohio, give our eyeteeth to have just one area like the ones in question, because we have recognized the importance in maintaining and attracting industry to our State, of having a strong recreational base—because businesses today like to locate themselves in areas where their employees would like to live, and outdoor recreation is one of the most important drawing cards.

I am constantly reading economic development publications, and I notice the ads for all of the States in these publications that go to Chambers of Commerce and other similar groups feature their outdoor recreational resources. You would like to put your plant or your office here because this is where your employees would like to live so they can enjoy the scenery and the wilderness and the parks, and so forth.

It does seem to me that is an equal consideration with the exploitation of the resources for other economic purposes. But I would note that only 29 percent, according to your testimony, of the commercial forest land in the State is in the national forests, which tells me that most of the best commercial forest land, 71 percent, is already in private or other hands. So, that, to me, is an indication that the needs for timber are already pretty well taken care of in terms of the availability of commercial forest land in the State.

Mr. Young?

Mr. YOUNG. Mr. Chairman, I think again the Administration has been acting contrary to the zealots and environmental movement and has been very good proposing wilderness land. They have tried to, on the professional level, show where there are conflicts, and I think that is what the argument is about—the conflicts, the transportation corridors, the mineral capability, the timber necessity. And, unfortunately, in many cases the experts, the ones that know that information, are not listened to. And those that can talk the loudest, organize the best, and spend the most, are the ones listened to.

I understand the political realities and I think it is, again, unfortunate we do not have the opportunity to inventory these lands that we have put aside so that when the need does arise that we cannot go in legitimately and in an environmentally safe way and use the resources.

I have traveled around the world, and I guess we are fortunate in the United States, more than just our political system, of having an abundance, maybe temporarily, of wood fiber. I have been in areas where they walk miles, literally miles, for twigs, to burn to heat what little they can eat. They walk miles—they even collect cow dung to burn so they can cook, what little they eat, because there is no timber left. Maybe there was never any timber there.

I have also been in areas where they have managed timber such as Germany and Sweden, and those areas where they still outproduce us timber wise, and they have cut just about every acre in those areas—and you canot tell it because they are truly managers of the timber.

We are not managing timber when we put it into a wilderness area. The bill we passed yesterday, I give as an example of that of the Oregon wilderness has not anything to do with this bill, 41,000 acres of logical pine dead—and we cannot harvest it because it was included in the wilderness.

I think that is where, unfortunately, you have an unsavory task of trying to express and show your views on a factual, nonemotional point of view to this committee. The committee does not listen. We listen but we do not have the votes to vote your way, so you have an unfortunate task.

I again compliment Mr. Crowell, yourself, Mr. Peterson, of having a very difficult era time to live through. Hopefully, some day we will wake up as a Congress to the need not only for timber but the ability to manage that timber so the future generations can have timber to build houses. There is no timber in dead trees. There is no timber in dying trees. There is only timber in new or live trees.

In some of the beautiful areas we have in Alaska, cut right to the bone in 1900, now are beautiful, very high yield timber areas.

So, again, Mr. MacCleery, I compliment you on your statement. Unfortunately, this committee is probably not going to accept any of your suggestions. It is probably a foregone conclusion this bill will go as it came out of the delegation meeting.

I would like to, for the record, note that it is too bad we cannot pan this committee as they are doing now on the House floor, and under special orders, as we attempted to yesterday.

If you look in this room—and I will never have any more higher respect than for the chairman, because he is Mr. Ironpants himself; he is here all the time, for hours and hours and hours. But, if you look beyond him, there is no one there. On this side of the aisle, we are fully manned with every one of the congressional delegates on this committee, the Public Lands Subcommittee, we are here.

I think it is just unfortunate that there is not that interest on that side of the aisle, other than the chairman, and he is one that really does do his homework, so I compliment him for that.

But it is for the audience and for the TV, if they are not listening to this, or for the radio—the side that I sit on as a ranking member, I have been proud of my committee because they do sit, they do listen, they do try to work—maybe not always in agreement—but I sit day after day in these meetings, sometimes I do not even like to show up because Mr. Seiberling is the only person here. And none of the other group ever sits here to listen to the testimony, yet they will walk in, late in the hour, or in the full committee, and start asking questions and making stupid remarks because they have not had the decency to sit and listen to the witnesses.

So, I, again, want to thank you. Thank you, Mr. Chairman.

Mr. SEIBERLING. They are generous in giving me their proxy.

Mr. YOUNG. Oh, I understand that. But it is unfortunate they cannot give you some intelligence when it comes to them not listening to the testimony. That is the sad part about it.

Mr. SEIBERLING. Mr. MacCleery?

Mr. MACCLEERY. I would just like to make a response. I am a professional forester myself, trained forester, and worked for the Forest Service, and I know from personal experience that managed forests can provide very high quality recreational uses, and that wilderness is not the only opportunity to provide for an esthetic, for a pleasing backdrop for an urban area. And that there are a variety of uses that occur, or will occur, in a managed forest, which are high quality—provide high quality recreational experiences.

To respond to the comments of the Chairman, we also put great weight on the deliberations of the delegation and the consensus developed by the delegation. And our testimony reflects a considerable change in response to the delegation's compromise from the position we took originally.

There are these two or three areas, although we feel we have to raise as points, areas that, considering the already existing wilderness in Washington and the additions provided for this bill, that we feel the tradeoffs to nonwilderness uses is just too great, and that we need to raise these as issues that ought to be taken another look at.

Mr. SEIBERLING. Thank you.

Mr. Craig.

Mr. CRAIG. No, thank you, Mr. Chairman.

Mr. SEIBERLING. Mr. Hansen?

Mr. HANSEN. Thank you, Mr. Chairman.

Mr. MacCleery, you made some references to areas that you do not agree with—Clearwater and Norse Peak. What would be the total aggregate acreage that the administration would say that should be taken out of there?

Mr. MACCLEERY. Those two areas are about 65,000 acres.

Mr. HANSEN. Excuse me for not knowing off the top of my head, what is the total amount that is going into this wilderness bill?

Mr. MACCLEERY. About 1.1 million acres.

Mr. HANSEN. You also mentioned an area, I believe you called Deer Pass or Creek, or Run, or something like that, where there was a potential of a road that was going to go in.

Mr. MACCLEERY. Yes.

Mr. HANSEN. What effect would that have if that becomes wilderness and the road could not go in there?

Mr. MACCLEERY. We are talking about eliminating about 240 acres there.

Mr. HANSEN. Is that all, just 240 acres?

Mr. MACCLEERY. Yes.

Mr. HANSEN. And what does that do as far as the economy or the ingress/egress, people traveling in that area?

Mr. MACCLEERY. It could provide—although the decision has not been made—but just because of the situation with being in a limbo status, that there's two roads that were planned to connect, and would need to pass through that area to connect a transportation corridor.

Mr. HANSEN. Have you got two dead ends, one on either end now?

Mr. MACCLEERY. That is right, and as it is now.

Mr. HANSEN. How far would the road go to connect those two?

Mr. MACCLEERY. I do not have that. I think less than—in the neighborhood of 1 mile.

Mr. HANSEN. One mile?

Mr. MACCLEERY. One mile of road.

Mr. HANSEN. Then, does that make it accessible for people on both sides to get——

Mr. MACCLEERY. It would allow for transportation across, yes.

Mr. HANSEN. What was the objection to doing that?

Mr. MACCLEERY. One of the objections was to preclude that opportunity from occurring.

Mr. HANSEN. What was the input of the local folks there?

Mr. **MacCleery**. The Forest Service people feel strongly that this option ought to be left open. The decision has not been made. If the area is excluded, it would be subject to an environmental assessment, public participation, and comment, and would then be open to a decision by the Forest Service.

But this would at least allow that option to be considered through the normal processes.

Mr. **Hansen**. As a professional forester yourself, do you see anything that throws itself in the face of the 1964 wilderness bill by allowing that road to go in?

Mr. **MacCleery**. It would not affect the management of the adjacent areas for wilderness.

Mr. **Hansen**. So, as far as you are concerned, it is an infinitesimal argument that does not make any sense at all, and you would like to see the road go in? Now that I put words in your mouth.

Mr. **MacCleery**. No, I am not making any comment on the merits of the road. We would like to have the opportunity to evaluate that and expose that to public involvement, and right now that situation would be precluded.

Mr. **Hansen**. I guess the point would be that I haven't seen the fantastic objection to those who want to leave it in a wilderness state, for 1 mile, 240 acres out of 2—how many million acres again?

Mr. **MacCleery**. 1.1 million acres.

Mr. **Hansen**. That does not seem reasonable to me. Where am I missing something?

Mr. **MacCleery**. That is why we are raising the point here, is that it would be a very small adjustment and would allow us to keep our options open and allow for a possible linkage which could have economic and recreational benefits to people on both sides of the mountain.

Mr. **Hansen**. When we put things in wilderness, I sometimes get the impression that some people do not feel they can be managed by professional managers.

Your testimony seems to dance around on that a little bit. I am almost of the opinion, from working with Forest Service people and Fishing Game people, and natural resources, as they are sometimes referred to, they are pretty professional people and can manage it in a multiuse area.

I do not know, that is pretty vague from what I am saying—but how do you respond to the idea? If it is wilderness or nonwilderness, don't you people in the Forest Service still have the option to manage it? Don't you still manage it in quite a professional way?

Mr. **MacCleery**. If it is in wilderness we are a little——

Mr. **Hansen**. Pretty restricted, that is true.

Mr. **MacCleery**. Clearly limited to what we can do. The objective is to allow nature to take its course to the extent that values outside of the wilderness are not jeopardized to provide for minimum recreational facilities to protect the resource. If natural fire had influence in that area in many cases, we have to evaluate whether to allow natural fires to occur. But the objective is to allow nature to take its course or to permit—all management must be designed to approximate what would occur if man did not have any influence over the area. For that reason, we can't manage it for a lot of things that we would like to. Outside of wilderness, we have a flexibility to manage for a wide variety of uses, develop recreation; we can put in wildlife habitat improvements that are precluded in wilderness designation; timber production; watershed management, watershed enhancement, water yield enhancement measures—these kinds of things, which are precluded in wilderness. If they would conflict with the ultimate objective—the overall objective is to leave that area in as natural a state as possible.

Mr. HANSEN. I appreciate the time, and I will end on this, Mr. Chairman.

It seems that this past weekend I was at one of the colleges in our State which is renowned, Utah State, as a forestry school, and a lot of people have graduated from that. They said that if they can not manage that area, and we were talking about the north slope Unita in the mountains of Utah—they said I will show you the cycles. They went in and gave me this big cycle of how nature manages it, and they said it will turn into a dead forest. They say, inevitably, we have got a 100 percent chance you will have a fire, fire will total it out, you will then have erosion, and then in 30 to 50 to 100 years, it will start springing back up again, and eventually there will be a forest there again. And he said, I am an environmentalist, but I am just telling you, that is what is going to happen to that north slope Unita Mountains.

He says, if you manage it, though, will cut it, and keep it clean, it will always be that green-blue thing that you look at and you admire.

Is that man wrong?

Mr. MACCLEERY. No, he is very correct. The natural cycle of many of our forests, major forest types like lodge pole pine, in that area, is a boom and bust situation where the forest regenerate after fire, you get large areas of even age stands, all the same age, density, very uniform stands, which grow up—in the case of lodge pole, 80-90 years, and they become old and decadent; breeding grounds for insects, large insect, mountain pine beetle, a population builds up—kills thousands of acres of trees, like is going on right now.

These dead trees provide a source of fire, it burns; and then the whole cycle repeats itself, regenerates even age stands, and you have got a natural cycle, which has repeated itself probably hundreds of times over the past millenia, of boom and bust regeneration growth, maturity, decline, fire, and regeneration.

There is another one. In this case spruce budworm is the agent that does the thing. Even age stands—monoculture is something that is common in nature.

Mr. HANSEN. I appreciate the testimony. Thank you, Mr. Chairman.

It seems to me that maybe the Forest Service is a better manager than Mother Nature in some of our wilderness areas.

Mr. MACCLEERY. One of the objectives that we try to achieve in the lodge pole is to manage it so that we break up the stands so that only a portion mature at one time and they do not develop any kind of a huge population that provides a source for insects. So your diversity has increased, and your potential for this catastrophic type of event is reduced, or eliminated.

Mr. HANSEN. Thank you, Mr. Chairman.

Mr. **Seiberling**. Mr. Marlenee?

Mr. **Marlenee**. Thank you, Mr. Chairman.

Mr. MacCleery, you very timidly, on page 4 of your testimony, pursued the problem that nonwilderness recreationists may have with the inclusion of such a large and encompassing wilderness as this bill would entail.

Let me ask a few questions about recreation because the chairman has already alluded to that. We in the Northwest place a very high value on our recreation, outdoor recreation, outdoor nonwilderness recreation. And that is one of the reasons—I will agree with the chairman—that is one of the reasons that people live in the Northwest, because we do have the mountains, and we have preserved them in their state of natural beauty for some 200 years while we have occupied that area. But we also like to use them.

Now let me ask this: Can you gather firewood in a wilderness area?

Mr. **MacCleery**. No.

Mr. **Marlenee**. Can you use a snowmobile in a wilderness area?

Mr. **MacCleery**. No.

Mr. **Marlenee**. Can you use a trail bike in a wilderness area?

Mr. **MacCleery**. No.

Mr. **Marlenee**. Can you use a camper in a wilderness area?

Mr. **MacCleery**. No.

Mr. **Marlenee**. Can you establish a campground for the use of campers and vehicles that may want to overnight camp or picnic, can you establish a picnic ground?

Mr. **MacCleery**. No, no motorized recreation of any kind is permitted.

Mr. **Marlenee**. You cannot even retrieve game that you have hunted down with any type of a motorized vehicle?

Mr. **MacCleery**. That is correct.

Mr. **Marlenee**. Can you helicopter ski in a wilderness area?

Mr. **MacCleery**. No.

Mr. **Marlenee**. Can you establish a ski area in a wilderness area?

Mr. **MacCleery**. No.

Mr. **Marlenee**. Mr. MacCleery——

Mr. **Young**. Can you ride a bike?

Mr. **Marlenee**. I yield.

Mr. **Young**. A bike, can you ride a bike?

Mr. **MacCleery**. Ride a bicycle?

I do not know if anybody has asked whether that is a motorized vehicle or not.

Mr. **Young**. It is mechanized.

Mr. **MacCleery**. No, I——

Mr. **Young**. You virtually can't——

Mr. **Marlenee**. Let me pursue—you say that 38 percent of the——

Mr. **Young**. It is restricted——

Mr. **Marlenee**. If I may have order, gentlemen——

Mr. **Young**. I am sorry.

Mr. **Marlenee**. I would appreciate it, thank you.

Thirty-eight percent of the forest, national forest, would be in wilderness or park if this bill is passed?

Mr. MacCleery. Thirty-eight percent of the Federal land in Washington.

Mr. Marlenee. Now, when you say Federal land, what do you mean, BLM land?

Mr. MacCleery. All BLM—BLM national forest and park.

Mr. Marlenee. In other words, the percentage would be higher on national forest land if it were worked out, higher than 38 percent?

Mr. MacCleery. Yes, that is correct.

Mr. Marlenee. All right, 38 percent will be in park or wilderness area. Are there any other special use designations in the State of Washington? Mount St. Helens, is that included in this?

Mr. MacCleery. That is included, Mount St. Helens is included.

Mr. Marlenee. Game designations which precludes the multiple use?

Mr. MacCleery. Like State, on State lands, or non-Federal lands, wild and scenic rivers.

Mr. Marlenee. Wildlife refuges, game management areas?

Mr. MacCleery. I cannot think of anything that would really throw that percentage off substantially.

Mr. Marlenee. All right, we have 38 percent that is in special designation that precludes a multiple use.

Mr. MacCleery. That is right.

Mr. Marlenee. What percentage of the forest land could be designated as commercial timber?

Mr. MacCleery. I have got that here—assuming that this bill is passed, what would remain?

Mr. Marlenee. What would be available for commercial timber harvest?

Mr. MacCleery. In my testimony, I mentioned about 3 million acres would be available for timber management on the national forest without significant limitation. Many of these areas that are outside of Wilderness, that are in the National Forest, are in view zones or wildlife habitat zones, or in sensitive watershed areas, even though they are not wilderness, we do not manage them intensively for timber production even though they qualify as commercial forest land.

Mr. Marlenee. So you would say about 30 percent?

Mr. MacCleery. So we are talking about 3 million acres that would be open to multiple uses and that is 3 million acres out of a total of 9 million acres—that is about 30 percent.

Mr. Marlenee. About 30 percent. So, 68 percent of the forest is now either wilderness or for timber harvest, somewhere in that area?

Mr. MacCleery. Sixty percent is either in wilderness or is not forested, or is in some land use classification in which timber production is not the primary purpose.

Mr. Marlenee. All right. We have a total, then, of 68 percent.

Now, Mr. MacCleery, of the remaining 24 percent that we have to deal with, you have got to concede that a certain percentage of that is meadow, maybe just barren rock, perhaps it is scrub timber or swamp.

Mr. MacCleery. Yes, the 3 million acres is our estimate—if nonwilderness or nontimbered lands were eliminated, the 30 percent, or the 3 million acres of the 9 million National forest system is what would be available for timber production, if this bill was passed. And you excluded the areas that aren't wilderness but they are not managed primarily for timber production or they are nontimbered.

Mr. **Marlenee**. We have arrived at a 68-percent figure that is available for timber harvest or timber management. Is that correct?

Mr. **MacCleery**. No. Only 30 percent——

Mr. **Marlenee**. OK, 30 percent is——

Mr. **MacCleery**. Yes, is readily available for timber management.

Mr. **Marlenee**. Correct. Now, let me walk you through this again. 30 percent——

Mr. **Seiberling**. I don't want to cut the gentleman off but he has already had 9 minutes, so I hope you can wind this up pretty soon.

Mr. **Marlenee**. Can I summarize? All right, you have 30 percent that is for timber harvest/timber management, you have 38 percent that has been set aside in wilderness. That totals up to a total of 68 percent that is either timber harvest or wilderness.

Now, my point is that that leaves 24 percent that surely some of it will be meadow ——

Mr. **MacCleery**. Yes.

Mr. **Marlenee**. It will be scrub timber——

Mr. **MacCleery**. That is right.

Mr. **Marlenee**. It will be swamp; so if you are looking at the balance of what is available for nonwilderness outdoor recreation, you have shorted, in my opinion, the people of Washington; 3½ million people, are going to go out there and take a coupon before they can park their camper or before they can recreate outdoors unless they use the wilderness area.

Now, I think that this committee and the people who create this kind of legislation had better be paying attention to how much is being set aside in these special designations and pay some attention to the outdoor recreationists who are nonwilderness type.

We aren't paying diddley squat as far as attention to these kind of needs of the general population.

Mr. **MacCleery**. This would have a significant adverse impact on the people that snowmobile and use vehicles to recreate, there is no question about it.

Mr. **Seiberling**. Mr. Craig?

Mr. **Craig**. Thank you very much, Mr. Chairman.

Mr. MacCleery, I did not get here for your testimony, I read most of it. I appreciate the statement you make on page 5 as it relates to the need for more wilderness. But a balance that relates to society's needs for other resources in relation to some wilderness designation would be most ideal.

I do not have any questions other than one. Could you show us on the map the 240-acre area with the mile of road that is of concern to you now? Where does that lie?

Mr. **MacCleery**. There are two sections.

[Mr. MacCleery points on the map that is displayed.]

Mr. **Craig**. Oh, there are two. All right, thank you. Mount Baker and Boulder.

I guess, Mr. Chairman, the reason I wanted to highlight that again is because I think this demonstrates the kind of arrogance that oftentimes is displayed in the crafting of wilderness legislation as it relates to restricting the public.

Even in a minor way, from access to adjacence, adjacent areas of the wilderness—and I say that because I, too, agree with the chairman, that wilderness plays an important part in the recreational balance. But when you look at the total dayuse figures of our National Forest lands, still in a very, very large percentage, you find that those dayuse figures rest with the kind of access that results in motorized camping, weekend access, but not the kind of long-term access that a wilderness area requires if you are going to commit yourself to that kind of a recreational wilderness experience.

Mr. Chairman, let me say in closing, that as a neighboring State, for a long time I have watched the State of Oregon, and for a long while Idaho was an out-migration State of Oregon its young people, who went to the State of Oregon, or the State of Washington to find employment. That has been the case through a very large part of Idaho's history.

I have a good many members of my family who went to Washington to find employment in a variety of the resource industries. When I became involved in public life as a State senator, I examined very closely the success of the Department of Natural Resources in the State of Washington to manage public lands, State lands, in a highly, highly productive sense to yield millions of dollars annually to the State treasury of the State of Washington. They did not restrict their lands, they managed them; they managed them intently. And I think there is a major story to be told nationwide of a State agency that went in, saw the ability to manage the productive forest lands of that State to return great yields to the State, not only in direct jobs, but in revenues to the treasury of that State. This helped to balance their tax base by offering citizens of the State of Washington a good opportunity.

We were always jealous of Washington because they could always pay their educators more than Idaho could. And one of the reasons they could, is because they started to manage their resource base so successfully at an early date—and I use the word manage—they did not lock it up, they did not nonmanage it—they managed it into a highly productive core that allowed public access for all forms of recreation; but at the same time, continued to yield to that State the phenomenal timber resource for which it has always been known.

I guess, Mr. Chairman, let me conclude by saying, these kinds of wilderness demonstrations, to me, are the epitome of an affluent, arrogant, interestingly enough, reactionary, conservative—and for a conservative to say that is a bit strange—but a reactionary, conservative attitude that, we do not want anyone else to have the kind of resource base, economic opportunity that was once true to our State.

It is an elitist point of view, I think it demonstrates this. And that road has to be the epitome of elitism, that we will not allow the general public a mile of road through which to travel to gain at least some limited access, not to the core, but to the fringe, of some of these natural and beautiful areas.

It is pretty difficult to understand, but then that is the way it has been done here for some time, and apparently that it is the way it will continue to be done for sometime again.

I hope the State of Washington is able to maintain its resources and its abundance, and its job base, and its economic base, as it has so successfully done in the past—not through wilderness, but through successful management of their resources, as they are so extremely well known for.

I have not had a chance to talk with a friend of mine, who for years was the epitome of land management in the State of Washington, a gentleman by the name of Bert Cole. I suspect—but I cannot put words in his mouth—that he would be high on management, because he recognizes the benefit of it to that State, and very low on lockup.

Thank you.

Mr. MacCleery. Thank you.

Mr. Seiberling. Thank you.

Mr. MacCleery. I would just like to point out, you asked how much recreational use was associated with developed land versus wilderness. Over 95 percent of the recreational use of the national forest is on non-wilderness areas.

Mr. Craig. In the State of Idaho, when we——

Mr. Seiberling. The time of the gentleman has long since expired.

Mr. Craig. Fine, thank you, Mr. Chairman.

In the State of Idaho, when we look at dayuse, about 6 percent we can account for on the wilderness areas, and about 94 percent on our managed public lands.

Thank you.

Mr. Seiberling. Thank you.

Mr. Clarke?

Mr. Clarke. Mr. MacCleery, we appreciate your coming today, and I just had one question.

In regard to the timber cutting on the existing nonwilderness areas—I mean, I think we might have gotten the impression that you are running out of timber. It was our understanding that a year ago there were many contracts in your State that had been left uncut because of high bid prices, and that the companies that had bid were requesting additional time to extension of their contracts.

Is there any possibility of your running out of timber on that 3 million acres?

Mr. MacCleery. Those are two different questions.

Mr. Clarke. I will ask them both.

Mr. MacCleery. OK. We will manage whatever land is outside of wilderness to provide a sustained yield of timber harvest consistent with the multiple-use mandate that we have. Many of the roadless areas that are going to be, or will be put into wilderness, we have been calculating an allowable harvest based on the assumption that these eventually would be available for timber production.

We are going to have to go back and revise that, and the result will be, all other things being equal, an immediate reduction in timber harvest as a result of losing the land base that we would otherwise have in the future to support a sustained yield of timber.

So, we won't run out, but we will reduce the amount that we do sell in harvest from the National Forest as a result of these additions.

Mr. **Clarke**. Is it not true that you still have a certain number of contracts that remain uncut because of the——

Mr. **MacCleery**. Yes, the high prices or the economy of several years ago caused many purchasers to assume that high interest rates, or high inflation rates, would continue, so they reflected those in their bid prices. It turned out that they were wrong and that there is what, I think, will be a temporary surplus of timber tied up into these contracts, which they cannot harvest economically.

This is a short-term problem, but it is a serious problem. The Forest Service projects the demand for timber to double in the next 4 decades, and that we are going to be needing a productive land base and a managed land base to provide society's needs for timber production as well as other multiple uses.

Mr. **Clarke**. Approximately how many million board feet are tied up in those contracts that have not been cut?

Mr. **MacCleery**. In Washington?

Mr. **Clarke**. Yes.

Mr. **MacCleery**. I do not have the figures on the top of my head in Washington. I can provide that for the record.

Mr. **Clarke**. I think it would be interesting to have it in the record.

[Editor's note.—The information requested by Mr. Clarke had not been furnished by the Department at time of printing. When received it will be placed in the subcommittee's files of today's hearing.]

Mr. **Clarke**. Thank you, Mr. Chairman.

Mr. **Seiberling**. We have a short-term problem, too, there is a vote on the floor and we have about 5 minutes left to get there, so we will recess for 10 minutes and come back, Mr. MacCleery.

AFTER RECESS

Mr. **Seiberling**. The subcommittee will please come to order.

Mr. MacCleery, of the 5.2 million acres of National Forest land that are commercial forests, how much of that acreage would be in wilderness if this bill became law?

Mr. **MacCleery**. It is approximately 512,000 acres.

Mr. **Seiberling**. So that is about 10 percent?

Mr. **MacCleery**. That is about half of the land that is going into wilderness is commercial forest land.

Mr. **Seiberling**. I see. What, about 500,000 acres, is that what you are saying?

Mr. **MacCleery**. Yes, about half of the 1.1 million.

Mr. **Seiberling**. My question is, of all of the commercial forest land that is in the National Forest, how much of the total would be in wilderness after this bill becomes law, assuming it does?

Mr. **MacCleery**. Of the total?

Mr. **Seiberling**. It would be more than 500,000 acres, won't it?

In other words, we have got 5.2 million acres of commercial forest land in the national forest in the State of Washington. How much of that will be in wilderness if this bill becomes law? Total, including existing wilderness.

Mr. MacCleery. I will have to get the figures, but it will be about—the commercial forest land, running about 40 to 45 percent of the total area, there will be——

Mr. Seiberling. All right, let's put it another way. How much national forest land will be in wilderness if this bill becomes law, total?

Mr. MacCleery. 2.6 ——

Mr. Seiberling. 2.6 million acres.

Mr. MacCleery [continuing]. Million acres.

Mr. Seiberling. Out of 5.2 million acres. So it is about half. And 40 percent of that is commercial forest, is that correct?

Mr. MacCleery. Yes.

Mr. Seiberling. So that means that approximately 1 million acres of commercial forest land would be in wilderness.

Mr. MacCleery. I think it would be somewhat more than that.

Mr. Seiberling. Well, 40 percent of 2.6 is 1.040, as I calculate it.

Mr. MacCleery. The acreage that would go in as part of this bill is a little over 50 percent of the——

Mr. Seiberling. Commercial forest?

Mr. MacCleery. Yes.

Mr. Seiberling. All right. So now it would be 1.3 million acres. Now, that is about one-third—excuse me—that is one-quarter of the total commercial forest land in the National Forest. Right?

So that you would have about one-quarter of 29 percent would be about 8 percent—no, excuse me, about 7 percent.

Mr. MacCleery. Yes.

Mr. Seiberling. So 22 percent of the commercial forest land that is represented by National Forest land would be outside of wilderness, and 71 percent of non-national forest land, which obviously is also outside of wilderness, you are going to have 93 percent of the commercial forest land in the State of Washington outside of wilderness. Is that right? Is my calculation about right?

Mr. MacCleery. I will have to figure it out myself.

Mr. Seiberling. Well, 71 percent, by your definition, if 29 percent of the commercial forest land in the State is in National Forest, that means 71 percent is not. Right?

Mr. MacCleery. Yes.

Mr. Seiberling. And if 22 percent of the 29 percent is not affected by wilderness legislation, that leaves—you add that to 71, you have got 93 percent of the commercial forest land in the State of Washington outside of wilderness designation. Is that correct? Adding 22 and 71, that is the way it comes out.

Mr. MacCleery. I think that is pretty close.

Mr. Seiberling. All right.

Do you think that that is an inordinate balance, that 7 percent is in wilderness and 93 percent is outside of wilderness?

Mr. MacCleery. I am looking at from the standpoint of the impacts of the wilderness designation on areas adjacent to, within, associated with the national forest. Many of the communities that rely on the national forest, do not have—and purchasers and the economic base, does not have alternative supplies. It is unevenly distributed throughout the State of Washington.

Mr. **Seiberling**. Are you saying that the delegation did not take into account the needs of the local communities that they represent?

Mr. **MacCleery**. As I mentioned, we took into account the consensus reached by the delegation in developing their proposal, their compromise. And we have concurred with that except for a couple of areas in which we feel that the impacts are inordinately high, and the acreage involved is not large; and feel because of what we consider the excess tradeoffs with regard to these two areas——

Mr. **Seiberling**. Well, let me understand——

Mr. **MacCleery** [continuing]. That there ought to be adjustments made.

Mr. **Seiberling**. Let me make sure that I understand. You oppose inclusion of Clearwater, Norse Peak, 240 acres around Deer Pass, and the Wallace Creek area around Mount Baker, those are the areas you oppose?

Mr. **MacCleery**. Yes [nodding].

Mr. **Seiberling**. All right. Well, I am sure the delegation gave—in fact, they have already said—they gave very careful consideration to these and I just thought I ought to get in the record that we are talking about a very small fraction of the total commercial forest land in the State of Washington. And there are other considerations besides the forest management and timber cut. So I just think we need to keep that in mind.

Mr. **Hansen**. Would the gentleman yield?

Mr. **Seiberling**. Yes.

Mr. **Hansen**. If I may, Mr. Chairman, apparently the chairman puts great emphasis on the delegation and how they feel about it. Does the Forest Service feel the same way? The delegation carefully calculates, works out in great detail, spends months and years on it working it out, don't you put any emphasis on what the delegation feels? Apparently the chairman feels it is extremely important.

Mr. **MacCleery**. As I mentioned, we did put great emphasis on it. There had been a significant change in our position as compared with where we started out from this. But we feel that a couple of changes, modifications, are needed to deal with these very high tradeoff areas.

Mr. **Hansen**. Thank you. I did not mean to take your time. I am just pleased to see that the Forest Service does put great emphasis on what the delegation feels. I think they are the ones closest to the people, they are ones that represent the people under this representative type of Government. You would think they ought to have when the criteria should rest with them, in my opinion, especially when united as they were in this particular group. I was amazed to see the whole Washington group here united on this particular issue.

Mr. **MacCleery**. It would be nice if we could get that, as you mentioned, in other delegations—it would certainly make it a lot easier to deal with this.

Mr. **Seiberling**. One of the reasons the delegation was able to do this was because they did listen carefully to all the different points of view and interest groups.

I would just like to ask one other thing. Isn't it true that many of the timber companies, including the smaller operators, in the State of Washington are asking for rescission of their timber contracts with the Forest Service because they cannot sell the timber; isn't that true?

Mr. **MacCleery**. They are asking to be forgiven from——

Mr. **Seiberling**. They are asking contract relief, isn't that the phrase?

Mr. **MacCleery**. Yes, that is correct; not because they do not need the timber, but because the price they paid is too high for today's market. And if they are forced to operate, they will face bankruptcy in many cases.

Mr. **Seiberling**. Thank you. Mr. Kogovsek?

Mr. **Kogovsek**. I have no questions or comments at this time, Mr. Chairman.

Mr. **Seiberling**. All right, thank you.

Mr. MacCleery, I appreciate very much having your testimony.

We will now proceed with the one member of the delegation who wasn't able to make it on the first round, our distinguished colleague Mr. Al Swift.

STATEMENT OF HON. AL SWIFT, A U.S. REPRESENTATIVE FROM THE STATE OF WASHINGTON

Mr. **Swift**. Thank you, Mr. Chairman. I ask unanimous consent to submit my statement for the record.

Mr. **Seiberling**. Yes, without objection, your statement will be included in full, and we welcome you to the committee.

We had a great presentation by the other members of the delegation. It is the first time in my memory that we have ever had a delegation this large to come and all of them to testify before this subcommittee.

Mr. **Swift**. It was quite a process we went through, and one that I think impressed each of us, too, because it is not that often in the legislative body where I think you get the kind of cooperative attitude that permits really very diverse points of view, to be resolved as amicably, and I think in as balanced a way as we did with this bill.

In one sense, I am sorry that I could not be with the committee when the rest of the members of the delegation were here; but in another sense I am rather glad to be here because I would like to deal with some of the points that I have been listening to.

I suppose that the easiest thing in the world to do is criticize somebody else's compromise. You do not know all the things that went into it. You don't know where the gives and takes were, and you do not know what the alternatives were.

The process through which we went was not a process in which there was some strong man in the delegation who twisted the arms of the rest of us and we all gave in; nor was it the kind of slipshod and lazy compromise where we just split everything down the middle when there was disagreement.

We tried to work out a bill that was balanced—and if a compromise is done well, and I think that this one was, it can often add up to more than the sum of its parts. I think what you have here in this bill is substantially more than the environmental community had any reason to expect that they would get, and it has less effect on timber than I thought we might end up with finally.

I come from a district in which probably most of the timber, or more than any other congressional district, exists. I have a lot of small mills. And how this was resolved was acutely important to both the environmentalists and recreational community in my district, and to the small timber industry in my district. And I think we have come up with a very balanced bill.

Let me cite a couple of specific examples. A lot of consideration has been given this morning to the road at Deer Pass, 240 acres. The basic purpose—and someone asked why that was in the bill—it was in because I insisted it be in the bill. Now, why did I do that?

What is not known is that in part I had insisted on that because it was clear I was going to have to in the negotiation process agree to the deletion of 2,500 acres of prime timber land in the Boulder River area. So the tradeoff did not get explained.

Second, the impression was left that this is a public road. It is a Forest Service maintenance road. It is under snow 50 percent of the time; it is something the Forest Service may sometime in the future want to explore; and it impedes on some wildlife areas. None of that came out. But it all came out in the delegation's deliberations we worked out the boundaries in the Boulder River area. And just in terms of pure timber, it was a tradeoff of 2,500 acres for 250 acres.

So I think when you look at that particular example in toto, you will find the delegation dealt with it full well knowing what the Forest Service's desires were, and did it thoughtfully, with good reason, and we stand by it.

Another point was raised about recreational vehicle use. One of the controversial parts, controversial in the State, was excluding from wilderness designation and putting it in national recreation designation lands in the Mount Baker area specifically for snowmobiling.

So it is not as though the delegation rode over the wishes of people who were involved in that kind of recreational use. We, in fact, made compromises and provided those opportunities, and did so to the unhappiness of some constituents who worked with us.

The Wallace Creek thing puzzles me. We have been working on this for a year, on a day-to-day basis. The Forest Service has never raised that issue with us before. Now, you get the impression—sometimes we have worked with the Forest Service, and we have acceded to many of the things that the Forest Service has said, such as hey, look, it will be a little easier to manage if you would draw the line here rather than there. We have acceded on many of those instances.

But you get the impression sometimes if we were to deal with this for 1,000 years they would come in at the last minute with one more little change they want to make. I can't honestly say that we have dealt with that particular issue in Wallace Creek because it hadn't been raised to us all the time that this was in the gestation period.

Perhaps in order to show the balanced attitude I have, I would like to take small issue, very delicately, with the chairman on his remark only 29 percent of the State's timber is in Federal lands, and therefore, there is plenty available.

Not for the small timber industry, because they really rely on the public sales—some of it is State, clearly, a lot of it is State. But so much of it is owned by Weyerhaeuser and other large timberowners, and they do not sell that off to the little timber mills. So that 29 percent is a terribly crucial part to the 100 employees of Boyd Timber in Sedro-Woolley, the 400 employees of Summit Timber in Darrington; the guys in the worker-owned plywood mill in Bellingham at Mount Baker Ply, and so forth.

So, I think my bottom line is we went through, I think, as deliberative, as high quality a process of trying to understand all of the aspects as could possibly have been done.

There are within our delegation, advocates for the small timber products industry. There are in our delegation, strong advocates for environmental pursuits, and for recreational pursuits of all kinds.

It was an honest process that came out, I think, with a superbly balanced product, and I would hope that in your deliberations that the second-guessing, which is your right to do, be done at least with an understanding that we have done this, not carelessly, but very carefully, and have tried to come up with an honest product.

Mr. SEIBERLING. Thank you for an excellent statement.

I might add one other thing, that I am supporting the concept of the contract relief proposal that is now before the Senate. And if it passes in the Senate, I am sure that the House is going to look upon it sympathetically, and this committee in particular.

Mr. SWIFT. I really appreciate that.

Mr. SEIBERLING. I think that if there is anyone who is going to take a careful look at the needs of the small timber operators, it is going to be the members of the delegation, and you in particular.

I sometimes take with a grain of salt the Forest Service's efforts to always nitpick these proposals, because it has been my experience that they do not like to put areas in wilderness even though it does not reduce the size of the national forest, simply because that reduces the number of Forest Service people that they need in the future. So that is something that I take into account, too. You know, every time you upset their particular bureaucratic empire, it upsets somebody's particular little corner of it. So we have to consider that along with all the other factors that enter in.

Thank you very much. I have no other questions.

Mr. Hansen?

Mr. HANSEN. Thank you, Mr. Chairman.

I just think that our colleague's statement was excellent because it did just what I think should have been done. He, in effect, shot down a lot of us who were nitpicking ourselves up here, saying things that we do not understand, because he is on the frontline. He is the man that lives in the area; he is the one that talks to those people; he knows how they feel, and he knows the area.

I assume from this, Mr. Swift, and appreciated your comments, they were well stated, I appreciate that you have spent an awful lot of time on this bill—probably a lot of hearings, talking to diverse opinions, that whole type of thing. I imagine this process has taken quite a long time. Is that a correct statement?

Mr. SWIFT. The process has taken over a year and a great deal of it was done by some of the most dedicated staff work on our personal staffs that you could possibly imagine. But I would also say that all 10 members of the delegation put 16 hours in on three separate occasions on working out the final compromises between themselves; and that is almost unheard of in this institution.

Mr. HANSEN. I would assume from that statement you would not want members of this committee to fool around with this too much.

Mr. SWIFT. I certainly want the committee to exercise all of its prerogatives, but if you could exercise them on behalf of our compromise we would really appreciate it.

Mr. HANSEN. Thank you, I appreciate those comments.

Mr. SEIBERLING. We still have some additional witnesses to hear from so I guess we aren't going to make any final decisions until that time.

Mr. HANSEN. Thank you, Mr. Chairman.

Mr. SEIBERLING. Mr. Clarke?

Mr. CLARKE. I just want to thank you for a very good statement, Mr. Swift. I am very much impressed with the work you have done working out this compromise and I think we ought to support you.

Mr. SWIFT. Thank you. Thank you, Mr. Chairman.

Mr. SEIBERLING. Thank you. All right.

We will now proceed to hear from a panel consisting of Mr. Tim Mahoney, representing the Sierra Club; Ms. Karen Fant, Washington Wilderness Coalition; Ms. Joann Marshall, Kettle Range Conservation Group; Ms. Gayle McKellar, Colville Valley Environmental Council; Mr. Pat Goldsworthy, Northern Cascades Conservation Council.

[Prepared statements of Tim Mahoney; Joann Marshall, with attachment; and Gayle McKellar, with accompanying attachments, may be found in appendix II.]

PANEL CONSISTING OF TIM MAHONEY, WASHINGTON, DC, REPRESENTATIVE, THE SIERRA CLUB; KAREN FANT, EXECUTIVE DIRECTOR, WASHINGTON WILDERNESS COALITION; JOANN MARSHALL, KETTLE RANGE CONSERVATION GROUP; GAYLE McKELLAR, COLVILLE VALLEY ENVIRONMENTAL COUNCIL; AND PAT GOLDSWORTHY, NORTHERN CASCADES CONSERVATION COUNCIL

Mr. MAHONEY. Mr. Chairman, we will go in order, if that is all right.

Mr. SEIBERLING. All right.

Mr. MAHONEY. Mr. Chairman, members of the subcommittee:

I am Tim Mahoney, Washington, DC, representative of the Sierra Club. I am very happy to be here today on behalf of the Sierra Club in Washington State.

May I ask that my testimony be placed in the record and I will speak more informally?

Mr. SEIBERLING. Without objection, all prepared remarks will be placed in the record in full, and you may proceed.

Mr. Mahoney. Mr. Chairman, we are very pleased to be here today to testify on S. 837. It is, by and large, a very good bill. It is a compromise bill; like a lot of compromise bills, it does not include everything that we asked for—and some of its omissions and some of its provisions are very painful.

Let me start, though, by thanking the delegation—the Senators, and particularly late Senator Jackson took extreme interest in this. They sat through a lot of hearings and they visited all the areas, and they were always very open and very courteous to us.

On the House side, Representatives Lowry and Pritchard, and Representative Swift, have been before this committee in the past on behalf of Cougar Lakes and Boulder River areas, which are protected substantially in this bill as they originally requested. And Congressman Lowry, in particular, has introduced another bill during the course of the discussions protecting fisheries which was very, very influential in shaping the ultimate legislation.

I would go through the whole delegation—Mr. Dicks has been a real tiger on behalf of our members in the Tacoma area who cherish the Clearwater Wilderness. Mr. Bonker was very, very helpful in the areas around Mount Rainier Park, and in keeping the Wallip Lake area in the Wilderness.

Mr. Foley, I cannot stress his support for the 1980 version of release language, is probably the linchpin in this delegation that allowed the delegation to go forward with the 1980 version of release; and ultimately with you, Mr. Chairman, led to an amicable compromise on the release issue overall—certainly a strong bipartisan delegation in the Northwest that was very, very important in reaching that agreement.

Even Mr. Chandler, who is not as sympathetic to wilderness in the Clearwater, ultimately worked toward a compromise on it, and was very supportive of wilderness in the Greenwater drainage of Norse Peak.

I would particularly like to say that Mr. Morrison has been a real pleasure to work with. He is a very gracious, openminded man. He has been extremely courteous in his dealings with conservationists and other interests throughout his district, and he has been very constructive. And while we have some very sincere disagreements and different philosophies, and some disagreements in this bill, he has been willing to look at his position again and again, and consider new information, and he does not seem to get tired of visiting with us. We appreciate it.

I mentioned the Cougar Lakes area and Boulder River as being two of the real prizes of this bill. We are also very pleased with several of the other areas like Mount Baker and Indian Heaven, and Lake Chelan-Sawtooth, Clearwater, Salmo-Priest, the Monte Cristo area; Rapid River area, that has become the Henry M. Jackson Wilderness.

We are very pleased that the small fraction of BLM land that is in the Washington State compared to other Western States that the delegation has been able to designate the first BLM wilderness in the State.

I spoke of the release language and the delegation's strong stand on it.

It shouldn't surprise the subcommittee that in a consensus bill that there are things, omissions, that we are not happy with, or we are disappointed with, we would like to mention them. Many of the wilderness proposals were drawn working with the local Forest Service, if not with the administration here in Washington and, consequently, many of the individual wilderness proposals leave out low elevation lands stop at the boundary that is commercial forest. And while the acreage of some of the proposals is large, many times important valleys are not included.

Probably the most significant omission in the bill, from our standpoint, is the Kettle Range area, which we believe is one of the deserving areas, not only in the State of Washington but in the entire country. It has been a major issue for the Sierra Club nationally and we hope that the delegation will not close its mind to the Kettle Range in the future. We intend to keep working to protect it as best we can. People are here from the local area to discuss it.

The bill also removes 800 acres or so from the existing Goat Rocks wilderness area, which was designated by the original Wilderness Act in 1964, and which was administratively protected as wilderness back in the 1930's by the Forest Service.

We oppose this throughout—the majority of the witnesses at all of the hearings have opposed this. We are not happy with the deletion, we are not really happy with the process that led to the deletion.

We certainly hope that wilderness bills do not ever reach a point where the price of new wilderness is to cut out th. old wilderness. That is something that we are going to be vigilant on. There are provisions in the committee report that say that the area should become a ski area are certainly coveted by the ski interest, but we do not believe that the hearing record would bear out that is what the position of most of the witnesses in Washington State believe in.

Actually, we were surprised and disappointed to see that the boundary on the Dosewallips River, which is near Olympic National Park on the Olympic Peninsula, which has previously been approved by the House as a wild and scenic river, it has been approved by the Senate as a wild and scenic river, too, the legislation never quite hooked up because of other provisions and other differences.

The boundary of the wilderness areas on the east side of Olympic park go down to the river but there is language in the committee report on the Senate side that indicates that room exists that could allow for the construction of a dam. We are opposed to the construction of the dam. We are supportive of the area as a wild river and we would hope that the committee and the delegation will not encourage the dam building and will ultimately be sympathetic to protecting the river itself, it is very deserving.

Those points, Mr. Chairman, let me just say, that the Sierra Club does support S. 837. And if I seem to dwell overly long our disappointments, I guess I, not unlike some other groups, by and large we are very pleased that the delegation has not only put forward this legislation but has been so willing to work carefully and closely, and openly, with us.

Thank you.

Mr. **Seiberling**. Thank you very much.

Mr. **Hansen**. Mr. Chairman?

Mr. **Seiberling**. Let's proceed to the rest of the panelists.

Mr. **Hansen**. Mr. Chairman, if I may request——

Mr. **Seiberling**. Yes.

Mr. **Hansen**. I have a group from Utah I have to go to. Could I just ask a couple of quick questions of Mr. Mahoney?

Mr. **Seiberling**. All right, yes.

Mr. **Hansen**. Thank you, Mr. Chairman, I appreciate that.

I notice in your testimony, and I appreciate your testimony very much, that you are not too happy with some of the provisions of this. And you mentioned specifically the Kettle——

Mr. **Mahoney**. Kettle Range.

Mr. **Hansen**. Kettle Range?

Mr. Mahoney, what additional acreage would that bring into it?

Mr. **Mahoney**. The proposal that the conservationists put forward is for 80,000 acres, most—it is not 80,000 acres now? That was the proposal that we are on record as having supported earlier in the process.

Mr. **Hansen**. And that is the disappointment you were referring to, where you are not too happy, you would much rather see the Kettle Range in it?

Mr. **Mahoney**. If you look at the map, you will see that the blue is primarily in the Cascades, which is certainly where most of the roadless land is, but there is not a lot of blue in between the Idaho border and the Cascades. And the people who live in the forested areas, particularly Ferry County, WA, whose Kettle Range is in their backyard, care very deeply for it, and have worked long and hard, and I hope will continue to work long and hard to see if they can't——

Mr. **Hansen**. But you feel in effect that the delegation has done a pretty good job, but you do hold that reservation. You wish in your own heart that it had been wise enough and smart enough to see the beauty of the Kettle Range and they would put that in, but you reluctantly accept this. Is that a correct statement?

Mr. **Mahoney**. We are not reluctant about the bill itself, we support the bill. We wish it could have the Kettle Range. It is a bill worked out by the delegation, it is a consensus among them. We hope that we can continue to make our case for the Kettle Range to them. These are the people from the Kettle Range here.

Mr. **Seiberling**. All right.

Ms. **Marshall**. I just wanted to add that our last proposal for a Kettle Range wilderness was roughly 40,000 acres from a proposal in 1977 of 120,000 acres. We reduced it to that 40,000 and of that, 28,000, believe, is above the 5,500-foot level which there is no timber there, it is very difficult to harvest. So we felt that we have made a significant effort to balance out our request with the needs of industries; and the 40,000 is probably what we are looking at.

Mr. **Seiberling**. Are you Ms. Marshall?

Ms. **Marshall**. Yes.

Mr. **Hansen**. Mr. Chairman, I appreciate the opportunity, for you to allow me to proceed out of order. Thank you very much.

Mr. **Seiberling**. All right, thank you.

I visited the Kettle Range myself, and it is an outstanding area. The Forest Service is doing a pretty good job of management, as far as I could see. Of course, we have a bill here which, as has already been pointed out, resulted in many compromises. So we have to bear all that in mind in trying to figure out what to do with it.

Anyway, we want to listen to the testimony before we come to any final decision. All right.

Ms. **Fant**. Congressman?

Mr. **Seiberling**. Yes?

Ms. **Fant**. I am sorry.

Mr. **Seiberling**. Are you Ms. Fant?

Ms. **Fant**. Yes, sir.

Mr. **Seiberling**. Well, you are next.

Ms. **Fant**. Congressman Seiberling, members of the subcommittee, and honored guests:

I am Karen Fant. I am the executive director of the Washington Wilderness Coalition, which is a statewide association of groups and individuals concerned with wilderness, wild rivers, and public land management and preservation in Washington State.

At present, our 25-member organizations and over 1,100 individual members represents some 20,000 wilderness supporters throughout the State.

My organization works with and represents many of the local grassroots organizations which have fought so hard for the establishment of wilderness areas for their regions.

The wilderness bill before your subcommittee marks a significant step in the process to protect some of the great wildlands of Washington, reflecting years of hard work by these groups and other wilderness advocates.

Yet, it also means deep disappointment for other groups who have worked equally hard, but who have nothing to show for their dedicated efforts.

In Washington State, 3.6 million acres of land still exist in a roadless, unprotected condition. Of these 3.6 million roadless acres, over 1 million acres of land were excluded by the Forest Service during the RARE II inventory in 1979 because those areas had been previously considered in completed land use plans.

Thus, RARE II was not a complete inventory, for it never really considered the true wilderness potential of much prime roadless land in our State.

Since 1979, citizens in Washington State have supported the 2.5-million-acre conservationists' wilderness proposal. Each year, 60 or more key leaders from local, State and national organizations have met to refine and discuss our wilderness proposal and to interact with each other to exchange ideas, information and plan strategies.

The Washington Wilderness Coalition joins with other organizations in reemphasizing our strong support for this entire proposal.

If passed as drafted, S. 837 will protect as wilderness slightly over 1 million acres, or approximately 29 percent of the existing 3.6 million acres of unprotected roadless land.

At the same time, the bill will leave out 58 percent of the conservationists' wilderness proposal. Lowland valleys, typically where the trees are located, were shaved from the boundaries. These shaved lowland areas, so critical for wildlife and fisheries habitat, also received major recreational use.

Many lowland areas were eliminated from wilderness consideration in S. 837 due to perceived timber conflicts in these areas. Yet, timber studies, based on Forest Service and Washington Department of Natural Resources data, indicate that the enactment of the entire 2.5-million-acre conservationists' wilderness proposal would result in a minimum reduction of statewide harvest volume of 3 percent. And I would be more than happy to provide the documentation on this, I don't have it with me, but if the subcommittee would like, I can send additional information along.

At the same time, over 2 million acres of commercial forest land in Washington are poorly reforested or have not been reforested after harvest. Better reforestation and management practices would easily compensate for any loss of timber from enactment of the conservationists' wilderness proposal.

We appreciate the extensive efforts of the entire Washington delegation in hammering out the proposal before this subcommittee today. And we echo the comments made by Tim Mahoney on the fine efforts made by each member of our delegation.

We are especially indebted to Congressman Mike Lowry for the development of his Wilderness and Fisheries Act, which, for the first time, focused on one single but important issue, namely, the benefit of wilderness to sports and commercial fisheries.

The key to ultimate preservation and maintenance of viable wild fish and wildlife populations lies in the protection of their habitat. Thus, in evaluating and developing boundaries for wilderness, serious consideration should be given to the protection of lowlands, complete ecosystems and intact watersheds.

Overall, S. 837 designates as Wilderness a number of major areas for which conservationists have sought protection for many years. Areas such as Cougar Lakes, the Clearwater, a portion of Mount Baker, Lake Chelan/Sawtooth, Shedroof Divide, and Rapid River/Lake Valhalla are some of these key areas.

We are pleased that small but unique areas such as Juniper Dunes, Indian Heaven, and Trapper Creek also will receive protection under this bill.

The small but significant portion of Boulder River near Deer Creek Pass is essential to the wilderness population of that area, and we certainly support its inclusion in this bill.

But, while S. 837 is good in many respects and will add significant wildlands to the heritage of protected areas in Washington, several major aspects are of grave concern to the Washington Wilderness Coalition.

The glaring omission from S. 837 is the Kettle Range in northeastern Washington, which is one of the major legislative priorities of the conservation community as part of the conservationists' wilderness proposal.

Despite a nearly 10-year effort, the Kettle Range was not included, and conservationists across the State are united in our intention to keep working with the delegation on this area.

We also urge the subcommittee to reconsider the decision on the Kettle Range and include it in the pending legislation. This area is vital to the well-balanced and complete wilderness system in Washington, which would protect the major transitional ecosystems between the Northern Rockies and Cascade Mountain Ranges.

Of equal concern to the Washington Wilderness Coalition is the deletion of land from the existing Goat Rocks Wilderness Area. The deletion is not something necessary for the national interest, nor is it likely to be economically feasible. As the essence of wilderness designation is permanence, the deletion flies in the face of everything the Wilderness Act was designed to protect.

The deletion was made part of S. 837 so that a local private interest could expand a ski area near Yakima, WA. The operator plans to try to develop a destination ski resort at White Pass, yet White Pass does not have the vertical drop, sustainable snow or good weather most of the time which the Washington State Winter Recreation Commission has stated are necessary for such a resort.

Further, the White Pass location does not have the flat land which would be necessary to provide accommodations for the large number of skiers which the ski operation hopes to attract.

We protest this deletion from the Goat Rocks, an action which overrides the procedure expressly outlined in section 3(e) of the Wilderness Act of 1964. This procedure, which is being ignored entirely, requires a study and public scrutiny to take place with recommendations from the agency for congressional action.

It is unlikely that the proposed expansion of White Pass requiring the deletion from the Goat Rocks Wilderness Area would have survived on its own merits had a study been conducted.

Another problem we have with S. 837 is the omission of the White Chuck River, unit M of RARE II area 6031. The White Chuck and additions to the inadequate RARE II proposal for Cougar Lakes were the two areas added by the Carter administration to the paltry Forest Service RARE II recommendations in 1979. This small but important addition to the Glacier Peak Wilderness Area deserves reconsideration.

Two boundary adjustments to the proposed Brothers Wilderness along the Dosewallips River, which Tim Mahoney discussed a few minutes ago, and to the additions to the Glacier Peak Wilderness along Railroad Creek, to permit the construction of hydroelectric projects, were suggested by the Senate Energy and Natural Resources Committee. These boundaries should not be altered to allow for these developments.

The Railroad Creek project is unnecessary to provide power for the village of Holden. It also has the potential of bringing excessive use and impact on the Glacier Peak Wilderness Area.

Finally, we view the passage of S. 837 as a significant step in the protection of the magnificent wilderness heritage of Washington State. Wilderness is truly America's nonrenewable resource. The amount of land in a wild, undeveloped State can, at best, only be maintained at its present level and can never be increased.

The Washington Wilderness Coalition commends the Washington delegation and the subcommittee for their devoted efforts on behalf of wilderness. We continue to look forward to working with both the delegation and the subcommittee on this and future wilderness considerations for Washington State.

Mr. SEIBERLING. Thank you very much.

Ms. Marshall.

Ms. **Marshall**. Thank you, Mr. Chairman. I have a prepared statement which I would like to have included in the record and I will just make my comments from that statement.

Mr. **Seiberling**. All right.

Ms. **Marshall**. My name is Joann Marshall and I live in Republic, WA, or near Republic, with my husband and two young sons. My house overlooks the Kettle Range and so I am interested in protecting a part of it in terms of its wilderness quality but also for the fact that it is in my front and back yard, and my family and I use it for recreation purposes such as hiking and skiing.

I am an educator working with preschool children, their parents and also emotionally disturbed adults, which are sometimes the children's parents. And also I operate a small part-time business.

I am presenting this testimony on behalf of myself and the Kettle Range Conservation Group. Being here today was really exciting seeing the members of the delegation together. It made more real our fantasies of what went on during the delegation's negotiations and uncompromised efforts. And it truly is a great feat that has been accomplished in their working out a Washington Wilderness bill.

The Kettle Range supporters are thrilled and really grateful that a bill has been completed, or has been submitted.

However, we are also feeling that it is a rather bittersweet victory, in that not one acre of Kettle Range was included in the bill.

Our many supporters, which include miners, foresters, small business people, Colville tribal members, the Colville Tribe itself, teachers, ranchers, local politicians, all feel that a vital area has been omitted.

I mentioned earlier that our initial proposal in 1977 was for 120,000 acres, and what we were left with at our last meeting, in an effort to have the area included in the bill, was approximately 40,000 acres. Twenty-eight of that, roughly, is included in a previously designated limited access area, which is above the 5,500 level, 5,500 foot level.

The additions to that acreage are limited draining areas adjoining it, which are crucial to watershed.

All of our people that have spent the last 8 years working, writing letters, attending meetings, composing maps, telephoning, really feel that their efforts have been ignored.

In spite of the delegation's arduous task and long hours of working out a bill, we feel that since there is not one single acre of Kettle Range included, that we really have been ignored. And we have, as I said, support from the local business community. We had submitted 33 petitions from the local Republic business owners who were in support of wilderness. And that brings me to some economic issues.

When we talk about wilderness, economics always come up in that a fear of taking away from the timber base is always expressed. I would like to draw, Mr. Chairman, your attention to a timber supply analysis for the impact of a Kettle Range Wilderness on northeastern Washington timber economy prepared by Dr. Richard Rutz and Mr. Donald Parks of the Washington Wilderness Coalition. Essentially, what they found, and they summarized this, is that a Kettle Range Wilderness proposal would not reduce and incur any great suffering on the amount of timber available in the Colville Forest in the Kettle Range Area.

[EDITOR'S NOTE.—The information paper on "Timber Supply Analysis" referred to above may be found in appendix II. See table of contents for page number.]

Ms. **MARSHALL**. So when we talk about economics, we are also looking at the area of Republic and what kind of needs it has right now. We are an area—the town of Republic is about 1,000 people, and timber and mining are our main industries.

We are finding that, especially during the past 5 years we have been devastated—unemployment is terrible. It is a little bit better, but it has been really significantly high. And what the need is there is to increase the economic base, expand it so that we have opportunities for employment in recreation, recreation and tourism.

The Kettle Range Conservation Group has worked over the years on projects to encourage the use of the Kettle Range area to show that it can be economically beneficial to have a wilderness area. Some of the things we have done are sponsored: Cross-country ski trail trips, ski clinics, and where we had over 100 people attend; hikes, horseback rides, all demonstrating that people from all over the State and Canada, which did occur, will come to the area if there is a specific reason to come. It is a beautiful area. But with a recreation industry that can be developed, it could really enhance the economy.

Again, this information seemed to be ignored. We have a desperate need to expand our economy. And our wilderness area, which does not significantly affect the timber supply, could enhance the local economy.

I know that, Mr. Chairman, you have visited the area, and you are familiar with it. We have gentle rolling terrain—it is a lot different than most wilderness areas in that it is very accessible, there is a major highway that goes through the center. And even someone in a wheelchair could stop on the summit in the middle of the wilderness proposal, get out of their vehicle, and roll around, and have a wilderness experience, that is somewhat off of the highway where they could look out and see undeveloped area.

We have areas that include wildlife habitat such as mule deer, bobcat, lynx, black bear. And especially in the northern part of the proposal, the Belcher area, which was in our proposal, that is a crucial area to encourage the growth of the mule deer herd which invites hunters and other recreationists and hunting.

We have some area that is more rugged and rocky, so for people who are more interested in a more rugged experience can find that there too.

I guess in conclusion, I would like to say again that we truly do appreciate the efforts of the delegation. It is great to see that cooperation can take place. But we can only express our deepest sadness and disappointment that the Kettle Range was not included in the bill. And we would like to ask this committee to consider it further in the future.

Thank you.

Mr. **SEIBERLING**. Thank you. Ms. McKellar.

Ms. McKELLAR. Mr. Chairman and other members of the subcommittee:

Thank you for the opportunity to speak here today. I do have quite a lot of material there but I will just summarize.

Mr. SEIBERLING. All right, we will put your entire statement in the record.

Ms. McKELLAR. Thank you.

My name is Gayle McKellar and I am representing the Colville Valley Environmental Council here today.

My husband and I have lived in Colville for almost 14 years, and during that time we have enjoyed hiking and camping in the Kettle Range and the Salmo-Priest.

I have been actively involved in trying to gain wilderness status for both of these areas for many years. At last, significant progress has been made in resolving the wilderness issue in Washington State. And I, too, would like to compliment our Washington delegation on the excellent bill as a whole, statewide.

But we in eastern Washington feel a great disappointment that the Kettle Range was excluded entirely from the bill.

I worked a great deal on the Salmo-Priest Wilderness and at this time I would just like to bring your attention to one matter in the Salmo-Priest.

The Colville Valley Environmental Council is particularly appreciative of the fact that the Shedroof Divide was added to the Washington bill. It provides needed habitat for both the endangered caribou herd and the grizzly.

There will be upcoming hearings on the Idaho Wilderness bill and, unfortunately, in the present form the Idaho bill does not include the contiguous portion of the Shedroof Divide within Idaho. I just wanted to bring this to your attention in the hope that that acreage which is just right adjoining there on the same ridge can be added to the Idaho bill to match the wilderness additions in Washington.

As I stated, during the past several years, I have spent a lot of time and done a great deal of research on the Colville Forest. In the past several years, the demand for timber has been severely reduced due to economic factors. And throughout the State there have also been defaults on the prior timber contracts.

We will always probably have high unemployment in the timber industry in northeastern Washington due to seasonal layoffs. And other mill closures in recent years have been due to economic factors rather than any lack of timber supply. It does not make economic sense to build more expensive roads needed to cut the remote roadless areas such as in the Thirteen Mile Basin in the Kettle Range when the timber is available elsewhere on the Colville Forest. With current depressed timber prices, increased road costs ultimately lead to more deficit timber sales.

According to the Forest Service's own RPA data available for the Colville Forest, there could be an increase of as much as 150 percent in the timber harvested on the forest in the next 50 years even with the 42,000 acres of the Salmo-Priest which will be designated as wilderness, and without harvesting any of the present roadless areas in the Kettle Range Wilderness proposal.

Due to fires which burned 60 percent of our forest early in the century, much of our timber is now just maturing and becoming available for harvest.

In some areas of our forest, those fires caused 33 to 40,000 acres of potentially productive lands to be overstocked with thick growths of timber with little merchantable volume.

I am enclosing data to show how conversion of those overstocked stands could increase production on the forest by as much as 450 million board feet in the next 50 years.

In other words, the potential for increased timber harvest on the Colville Forest can be accomplished through improved management techniques on the remainder of the forest without destroying some of these few roadless lands we have left, such as in the Kettle Range.

Before the Senate hearings in Spokane last June, I spent several days walking Colville's business district and personally talked with the businessmen about protecting the Kettle Range and the Salmo-Priest areas through wilderness designation.

At that time, 38 owners of Colville businesses signed endorsements to that effect. The depressed timber industry has had a devastating effect on many Colville businesses as it has in Republic. Many of the people I talked with felt that protecting these two areas would be beneficial to the future economy of our area. Our local communities are trying to attract tourism and new businesses to our area, and really what we have to offer is the country around us.

Wilderness designation advertises the beautiful recreational potential of northeastern Washington. Some studies show that wilderness recreation will increase as much as 320 percent in the next 20 years. And in order to plan for future recreation needs in the wilderness, more than the 42,000 acres in Salmo-Priest will be necessary to meet the demands of the large nearby population center of Spokane.

I wanted to comment, too, as far as other recreation besides wilderness, and that is on the Colville Forest we already have a network of over 3,500 miles of roads, which offer access for all types of recreation and firewood gathering. And I know because I use them, and I am very familiar with the forest. We have access all around the wilderness areas, and we can drive around each and get in at all different angles to the wilderness. It is not like you can't get into the forest; there is a lot of acres there with road.

The Kettle Range is an accessible gentle wilderness and it offers opportunities for hiking, horseback riding, and cross-country skiing. I have personally participated in all of those activities in the Kettle Range. But I hope that these wilderness experiences will be available there for my children in the future.

Last Christmas, my 8-year-old son wrote a paper describing his family. It was rather brief and it said, "My father is a dentist, my sister likes dolls, and my mother saves wilderness."

You know, I guess that really is the true reason why I am here today and it is because of my love for wilderness experiences I have had, and I hope that I can ensure that my own children will be able to have those experiences where we live in northeastern Washington.

So I feel that the Kettle Range still is important to consider for wilderness designation.

Thank you for the opportunity to speak.

Mr. SEIBERLING. Thank you very much for some excellent testimony.

Ms. MCKELLAR. Mr. Seiberling, I was given a sheet here—there has been a new alliance formed called the Alliance to Save the Kettle Range, and there is a statement of its purpose, it is just a few paragraphs.

Would I be able to read that for the record?

Mr. SEIBERLING. Yes, we would be happy to include that in the record.

Do you want to read it or just include it in the printed record?

Ms. MCKELLAR. Just include it in the record.

Mr. SEIBERLING. Fine, glad to do that.

[EDITOR'S NOTE.—The paper referred to above entitled "Alliance To Save the Kettle Range" may be found in appendix II following Ms. McKellar's prepared statement. See table of contents for page number.]

Mr. SEIBERLING. I noticed that earlier in this hearing Congressman Young made some critical remarks about the fact that there were no members of the Democratic group here, and several Republicans. I will not respond in kind except to note that there are no members of the Republican side here, though there are some Democrats. I guess it depends on which audience you want to hear. When the Forest Service was testifying, all of the minority members were present, and they have now left when the environmental groups arrived.

The Kettle Range is a difficult thing to deal with in terms of leaving it out of this bill. I do note that the Senate committee report, on page 15, has some very strong language about protecting portions of the Kettle Range, including the Kettle Crest Area and the White Mountain and Thirteen Mile Mountain, and the drainage that goes into the Colville Confederated Tribe's land.

It does seem to me that we ought to at least in our committee report, if we do nothing more than that, include some language strongly recommending to the Forest Service that they continue to manage this area with great sensitivity and with a view to protecting the natural qualities, particularly those that are in the 40,000 acres that you have referred to. And, hopefully, as time goes on, a consensus will develop with respect to further specifics on the Kettle Range.

I do agree that the designation of Wilderness areas does tend to improve tourism and that is one way to help develop a more balanced economy, particularly in areas that have no particular industry other than mining and logging.

I do not think I have any other comments or questions.

Mr. Clarke?

Mr. CLARKE. I just have one question, Mr. Chairman, thank you. I just have one question for Mr. Mahoney. In regard to the report language on which affect the river—I forget the name of the river.

Mr. MAHONEY. Dosewallips.

Mr. CLARKE. Do you feel that is a very serious part of the report?

Mr. **Mahoney**. The way the bill was constructed is unique, unlike the North Carolina Wilderness bill where the interest groups kind of got together and brought a product to the delegation; here, the delegation got together. I guess we do not really know all of the things they discussed.

There was a discussion as to whether the boundary of—I guess in the bill it is called the Brothers Wilderness—should be brought down to the river itself, to the bank of the river. When the bill was announced and we looked at the map, that is what we thought was the case.

I think the Senate committee report says that the boundary is really not quite at the bank. In any case, a dam could be constructed without interfering with the river. That was disappointing and we did not realize that was part of the delegation agreement.

We are getting into an area here that we are not sure who said what to whom. But we would certainly request that the subcommittee investigate that issue with the delegation.

Mr. **Clarke**. I want to thank you all for appearing today and you have certainly awakened my interest in the Kettle Range, and we appreciate all of you spending your time to come here and support the bill. Thank you very much.

Mr. **Mahoney**. Thank you very much.

Mr. **Seiberling**. The Goat Rocks Wilderness deletion is more or less offset by some additions, and the net result, as I understand it is, that the wilderness boundary would follow the crest line and delete areas on the other side. Is that basically what it does?

Mr. **Mahoney**. Mr. Chairman, the boundary currently follows a political boundary, a section line, I guess, and includes land on both sides of the crest. What it does is take a bite out of one side of the crest so that the boundary would now go along the top of the crest and then angle off to include lands on both sides. The Goat Rocks Wilderness is wilderness along the very crest of the Cascades, and what we are doing is taking a little bite out.

Ms. Fant has spoken about the problems with the ski area proposal itself. I think what disturbs the group like the Sierra Club from a national standpoint is we have had a lot of difficult and contentious battles to put various contentious areas in the wilderness system.

We would hope that, for the most part, that when these battles are over and laid to rest, that the next time the Congress goes up at a wilderness issue, that we do not find that the price of that is going to be undo what the previous Congress did.

We really do not believe that the area merits deletion. We do not believe that it would stand up in a study on its own merits. Obviously, it is one of those political compromises that the Representatives of Washington State reached in their own discussions. It is one that we are most uncomfortable with.

Mr. **Seiberling**. Do you feel that on the whole this bill should be enacted even if we cannot make these changes that you recommend?

Mr. **Mahoney**. Yes, we do.

Mr. **Seiberling**. Does the coalition feel that way too?

Ms. **Fant**. Yes.

Mr. **Seiberling**. It seems to me that in the interest of moving the ball forward, as the saying goes, that there is some merit to that position, even though looking at it from one point of view, you might say there should be some changes. But on the whole, it strikes me that this is an acceptable compromise and I would hope that if the Forest Service can be prevailed upon to manage some of these other areas with continuing sensitivity that some of the smaller quirks would not mask out the overall picture.

The Mahre brothers came to see me about dropping out the Goat Rocks area, and I do not think I gave them a very sympathetic reception, but I didn't foreclose that possibility either. It does seem to me that on the whole, the boundary is a more logical boundary even though I do not like the principle of dropping out wilderness areas as a general practice.

As to the river, I am looking in the committee report of the Senate for the references to that river that you referred to. I cannot seem to find it. Do you know where that is in the Senate committee report? The Brothers Wilderness, is that what we are talking about?

I am not clear whether the bill actually does redraw the boundary or whether this is just precautionary language in the committee report. Well, we will have to take that under advisement.

All right, I want to thank this panel again for their testimony.

Mr. **Mahoney**. Thank you very much, Mr. Chairman.

Mr. **Seiberling**. I understand that Mr. Gus Kuehne of the Northwest Independent Forest Manufacturers wou'd like to make a statement, is that correct?

STATEMENT OF M.J. "GUS" KUEHNE, EXECUTIVE VICE PRESIDENT, NORTHWEST INDEPENDENT FOREST MANUFACTURERS

Mr. **Kuehne**. Yes, thank you, Mr. Chairman.

I will not ask for equal time.

Mr. **Seiberling**. We appreciate that.

Mr. **Kuehne**. I am Gus Kuehne, executive vice president of Northwest Independent Forest Manufacturers. I happened to be back here on a number of other issues, one of which has been mentioned here today on contract relief. I was not aware of this hearing or its format, so I do not have a prepared statement but I would like to submit one in the future for the record.

Mr. **Seiberling**. We would be glad to accept one for the record.

Mr. **Kuehne**. I would say that Northwest Independent Forest Manufacturers is an association of 30 mills in the State of Washington, mainly western Washington, who are highly dependent on national forest timber for their timber supply.

These companies are those that are most impacted by the passage of this legislation. They are not the large publicly traded companies that you all are familiar with the names of. I doubt if any of you had heard, other than from Mr. Swift's comments, of the names of these companies. But they are an integral base to the economy of the State of Washington, and particularly a lot of small communities that dot the Cascades, and in many cases are the sole or major employer in their communities. As far as manufacturing in most instances, several mills make up the employment base in manufacturing for those communities.

There has been a great deal said about what percentage of this timber is in the State of Washington. Let me just say that if not an acre were added to wilderness of timber in this bill, the State of Washington would already lead the Nation in the amount of timber restricted by Congress from harvesting in the State of Washington, more than any other State in the Nation—or, I would submit to you, any similar size region in the world.

Mr. SEIBERLING. We have not finished with the RARE II process.

Mr. KUEHNE. The committee has in a couple of States that would be logically leading contenders to that. One of the things that was left out of the statistics, I think provided by the Forest Service, is the enormous acreage that had been carved out of national forest system lands in the three national parks in the State. The Olympic Park, for example, contains vast volumes of timber and over the years acreages have been added to the park from the national forest, and I believe that was overlooked in their testimony, and in the percentages that you had worked out, Mr. Chairman.

Again, if you had used percentages, however you would draw them, you would find no other area of the United States, and I believe of the world, though I am not an expert on the world, at least no other area in the United States that has contributed more to wilderness timber to wilderness and national parks than has been in the Cascades and Olympic Mountains in the State of Washington.

The proposal that is before you is three times that recommended by the Reagan administration at the beginning of this process when the bill was introduced and 2½ times larger in its impact on timber harvest and that recommended by the Carter administration and by an assistant secretary of that administration who has a very fine background as an environmental leader before his appointment, and since.

As I said, the timber purchased———

Mr. SEIBERLING. I did not get the name.

Mr. KUEHNE. Mr. Rupert Cutler.

Mr. SEIBERLING. Rupert Cutler, yes.

Mr. KUEHNE. The areas of timber that are in this bill have been included in Forest Service calculations for the establishing what is the sustained yield from national forest lands and the plants and logging communities have been established to manufacture that timber and creating the employment base for much of the western half of the State particularly.

An economist lawyer talked to me a couple of weeks ago and he said, this policy change of the Government to switch from its policies of a sustained yield of a certain level and then creating and taking those lands and placing them in wilderness is a game similar to one played that he would term "bait and switch," where the Government baits the industries into, this case, building the mills, locating the communities, and then switches the policy to establishing wilderness and the communities dry up.

I submit to that this bill has tremendous impact on a lot of little communities in our State and that we estimate that somewhere around 4,000 jobs will be permanently lost in the State as a result of passage of this legislation.

The two most highly productive lands that we feel have the least wilderness attributes are the Clearwater and Norse Peak area. We would urge that the committee give consideration to the removal of these areas from the bill. Percentages were named earlier, how much percent these lands are that commercial forest base, I would say that the lands in the Clearwater and Norse Peak are 65,000 acres. If they were removed it would reduce the amount of acres in national parks and wilderness by only 1½ percent, and yet it would provide an employment base for several mills which are dependent on national forest timber.

We would urge consideration that those two areas not be included in the bill particularly as they are the two most highly productive in the bill and have the lowest, as far as wilderness attributes, and those ecological types are already well represented in areas included in existing wilderness by this legislation and previously.

Thank you for your patience in listening to my remarks and I would be glad to answer any questions, if you have any.

Mr. SEIBERLING. Thank you.

I have been to the Norse Peak area, I have not been to the Clearwater area, and there was timber in the Norse Peak area, as best I could determine, although a lot of it had no timber worth speaking of.

Mr. KUEHNE. The areas were particularly concerned about 2 miles of the Norse Peak area which is the Greenwater River, the lower parts of the Greenwater River.

Mr. SEIBERLING. How much potential yield do you estimate is in Norse Peak?

Mr. KUEHNE. It is approximately 20 million board feet annually could be harvested.

Mr. SEIBERLING. How about Clearwater?

Mr. KUEHNE. About an equal amount—within the area actually established in the bill, the estimate is that it is a potential yield of around 12 million.

Mr. SEIBERLING. Are you supporting the proposed contract relief compromise that was worked out?

Mr. KUEHNE. Yes, we are.

Mr. SEIBERLING. How much timber would that free up for resale in Washington?

Mr. KUEHNE. It would be approximately 1 billion board feet, assuming the percentages that are in the bill hold, it is somewhere between 1 and 1½ billion feet. It is hard to tell for sure who would do what, but that is about the level.

Now, the volumes that I talked to earlier are volumes that are removed from the Norse Peak and Clearwater are annual sales volumes in perpetuity, and this is a one-time thing.

Mr. SEIBERLING. How much annual potential yield would be freed up by the contract relief bill?

Mr. KUEHNE. They are actual timber sales and the contract relief bill does not free up any lands; what it does is it allows you to buy out of contracts for the timber.

Mr. SEIBERLING. But I mean, that timber would then be available for resale, in fact, the proposal would require it to be resold.

Mr. **Kuehne**. It would have to be resold, however, as a part of the regular program and there is a limitation as to how much timber that might be sold each year and it not increase over in fact what the levels had been prior. A part of the compromise with the South was that not a lot of timber be added onto the regular cut, which would add a lot of low-priced timber to the market, and may allow us some advantages in the restricted markets that we have in this country.

Mr. **Seiberling**. I see. All right, we have a gentleman from the South on this committee and I am going to recognize him.

Mr. **Clarke**. Mr. Kuehne, thank you for your testimony.

I was going to ask a similar question. As I get it, you represent the small- or medium-sized mill owners. Do some of your people that you represent have contracts from which they are requesting release or extension?

Mr. **Kuehne**. Yes, they do. I would say the majority do.

Mr. **Clarke**. Then you have made a point that some of the communities are going to be seriously affected. Are you aware of the fact that the Members of the Washington delegation conferred with these communities and discussed this whole thing with them?

Mr. **Kuehne**. Yes and we conferred with them. I would say that the industry has, the forest industry has, a large number of problems at this point, I think particularly the small mills do. A threat to the reduction in our long-term timber supply by the wilderness bill is one of those. Contracts, because of the change in economic conditions because the real price of lumber has gone down 50 percent since 1979, is another problem which has made this timber that was purchased in the late 1970's, early 1980's, unavailable just as though it were put in a wilderness or whatever, and that is a short-term but very severe problem threatening those mills.

We have both short-term and long-term problems. We have both market problems and timber supply problems. Timber supply is a definite long-term problem for small mills.

Mr. **Clarke**. What are they cutting now, this timber that they can buy at a lower price?

Mr. **Kuehne**. My members are cutting sales that have been offered within the last year or year and a half. In fact, one of my members last fall cut a 4-year sale in about 4 months. The sale was projected it would take 4 years to complete and he got in there and logged it in 4 months because he was in such desperate need for timber that it was at a price that he could operate.

Mr. **Clarke**. Thank you. Thank you, Mr. Chairman.

Mr. **Seiberling**. Thank you, Mr. Kuehne. We appreciate your testimony. Between now and the time the full committee meets we will have a chance to reflect on all of the testimony and consider whether any further adjustments should be made.

I think at this point what we ought to do is report this bill to the full committee, and that is what I am going to recommend as soon as we go into the markup session.

Mr. **Kuehne**. Thank you, Mr. Chairman, for the opportunity to present my testimony.

Mr. **Seiberling**. Thank you. I appreciate your coming and giving us your thoughts and concerns.

[Whereupon, at 12:50 p.m., the subcommittee recessed, to proceed to other business.]

ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Nellis Air Force Range

MONDAY, AUGUST 6, 1984

House of Representatives,
Subcommittee on Public Lands and National Parks,
Committee on Interior and Insular Affairs,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 1324, Longworth House Office Building, Hon. John F. Seiberling (chairman of the subcommittee) presiding.

Mr. Seiberling. The Subcommittee on Public Lands and National Parks will please come to order.

As members have been advised, we are meeting this morning for a hearing on H.R. 4932, a bill to withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye, and Lincoln Counties, NV, for use as a training and weapons testing area, and for other purposes.

A copy of the bill and background information are before each member; and if there are no objections, we will have printed at this point in the hearing record a copy of that bill.

[The bill, H.R. 4932, follows:]

I

98TH CONGRESS
2D SESSION

H. R. 4932

To withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye, and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 1984

Mr. PRICE (for himself and Mr. DICKINSON) (by request) introduced the following bill; which was referred jointly to the Committees on Armed Services and Interior and Insular Affairs

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A BILL

To withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye, and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to valid existing rights, the lands described in subsection (b) of this section, aggregating approximately 3,034,929 acres in Clark, Nye, and Lincoln Counties, Nevada, are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws but not the mineral and geothermal leasing laws, and are reserved for use of the Department of the Air Force as an armament and high hazard testing area, a training area for aerial gunnery, electronic warfare, tactical maneuvering and air support, and for other defense related uses consistent therewith: *Provided, however,* That except to the extent rendered necessary by national defense, this Act does not affect the National Wildlife System Administration Act of 1966 (80 Stat. 929, as amended; 16 U.S.C. 668dd et seq.) as it applies to the Desert National Wildlife Range, any executive order or public land order affecting the Desert National Wildlife Range, or any memorandum of understanding between the Department of the Interior and the Department of the Air Force regarding the administration and joint use of the Desert National Wildlife Range.

(b) The lands and resources withdrawn by this Act are described as follows:

MOUNT DIABLO MERIDIAN

Townships 1 to 4 south, range 44 east.

Township 5 south, range 44 east, partly unsurveyed.

Sections 1 and 2;

Sections 10 to 16 inclusive;

Sections 20 to 36 inclusive.

Township 6 south, range 44 east, unsurveyed.

Township 7 south, range 44 east, unsurveyed.

Sections 1 to 5 inclusive;
Sections 8 to 16 inclusive;
Sections 22 to 26 inclusive;
Sections 35 and 36.

Township 8 south, range 44 east, unsurveyed.
Section 1.

Townships 1 to 4 south, range 45 east.

Townships 5 to 7 south, range 45 east, unsurveyed.

Township 8 south, range 45 east, unsurveyed.
Sections 1 to 18 inclusive;
Sections 20 to 27 inclusive;
Sections 35 and 36.

Townships 1 and 2 south, range 46 east, unsurveyed.

Townships 3 to 8 south, range 46 east, unsurveyed.

Township 9 south, range 46 east, unsurveyed.
Sections 1 to 6 inclusive;
Sections 8 to 15 inclusive;
Sections 23 and 24.

Townships 1 and 2 south, range 47 east.

Townships 3 and 8 south, range 47 east, unsurveyed.

Township 9 south, range 47 east, unsurveyed.
Sections 1 to 30 inclusive;
Sections 33 to 36 inclusive.

Township 10 south, range 47 east.
Sections 1, 2, and 12.

Townships 1 and 2 south, range 48 east.

Townships 3 to 9 south, range 48 east, unsurveyed.

Township 10 south, range 48 east, unsurveyed.

Sections 1 to 17 inclusive;

Sections 21 to 26 inclusive.

Section 36.

Townships 1 and 2 south, range 49 east.

Townships 3 to 7 south, range 49 east, unsurveyed.

Township 8 south, range 49 east, unsurveyed,

Sections 1 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive;

Sections 12, 13, 24, 25, 36, exclusive of those portions withdrawn by PLO 2568.

Township 9 south, range 49 east, unsurveyed,

Sections 2 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive;

Sections 1, 12, 13, 24, 25, 36, exclusive of those portions withdrawn by PLO 2568.

Township 10 south, range 49 east, unsurveyed,

Sections 2 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive;

Sections 1, 12, 13, 24, 25, 36, exclusive of those portions withdrawn by PLO 2568.

Township 11 south, range 49 east, unsurveyed,

Sections 2 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive;

Sections 1, 12, 13, 24, 25, 36, exclusive of those portions withdrawn by PLO 2568.

Township 12 south, range 49 east, unsurveyed,

Sections 2 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive;

Sections 1, 12, 13, 24, 25, 36, exclusive of those portions withdrawn by PLO 2568.

Townships 1 to 7 south, range 50 east, unsurveyed.

Township 8 south, range 50 east, unsurveyed,

Sections 1 to 6 inclusive;

Sections 7 to 12 inclusive; exclusive of those portions withdrawn by PLO 2568.

Townships 2 to 7 south, range 51 east, unsurveyed.

Township 8 south, range 51 east, unsurveyed,

Sections 1 to 6 inclusive;

Sections 7 to 12 inclusive; exclusive of those portions withdrawn by PLO 2568.

Townships 3 and 4 south, range 51 east half, unsurveyed.

Townships 3 to 7 south, range 52 east, unsurveyed.

Township 8 south, range 52 east, unsurveyed,

Sections 1 to 6 inclusive;

Sections 7 to 12 inclusive, exclusive of those portions withdrawn by PLO's 2568 and 805.

Townships 3 and 4 south, range 53 east.

Townships 5 to 7 south, range 53 east, unsurveyed.

Township 8 south, range 53 east, unsurveyed,

Sections 1 to 6 inclusive;

Sections 7 to 12 inclusive; exclusive of those portions withdrawn by PLO 805.

Township 3 south, range 54 east,

Sections 4 to 9 inclusive;

Sections 16 to 21 inclusive;

Sections 28 to 33 inclusive.

Township 4 south, range 54 east,

Sections 4 to 9 inclusive;

Sections 16 to 21 inclusive;

Sections 28 to 33 inclusive.

Townships 5 and 6 south, range 54 east, unsurveyed.

Township 7 south, range 54 east, unsurveyed,

Sections 1 to 34 inclusive;

Sections 35 and 36, exclusive of those portions withdrawn by PLO 1662.

Township 8 south, range 54 east, unsurveyed,

Sections 3 to 6 inclusive;

Sections 2, 7 to 11 inclusive; 35 and 36, exclusive of those portions withdrawn by PLOs 805 and 1662.

Township 9 south, range 54 east, unsurveyed,

Sections 1, 12, 13, 24, 25, 36;

Sections 2, 11, 14, 23, 26, 35, exclusive of those portions withdrawn by PLO 805.

Township 10 south, range 54 east, unsurveyed,

Sections 1, 12, 13, 24, 25, 36;

Sections 2, 11, 14, 23, 26, 35, exclusive of those portions withdrawn by PLO 805.

Township 11 south, range 54 east, unsurveyed,

Sections 1, 12, 13, 24, 25, 36;

Sections 2, 11, 14, 23, 26, 35, exclusive of those portions withdrawn by PLO 805.

Township 12 south, range 54 east, unsurveyed,

Sections 1, 12, 13, 24, 25, 36;

Sections 2, 11, 14, 23, 26, 35, exclusive of those portions withdrawn by PLO 805.

Township 13 south, range 54 east, unsurveyed,

Sections 10 to 15 inclusive;

Sections 22 to 27 inclusive;

Sections 34 to 36 inclusive;

Sections 9, 16, 21, 28, 33, exclusive of those portions withdrawn by PLO 805.

Township 14 south, range 54 east, unsurveyed,

Sections 1 to 3 inclusive;

Sections 10 to 15 inclusive;

Sections 22 to 27 inclusive;

Sections 34 to 36 inclusive;

Sections 4, 9, 16, 21, 28, 33, exclusive of those portions withdrawn by PLO 805.

Township 16 south, range 54 east,

Sections 1 to 3 inclusive, north half;

Section 4, northeast quarter.

Township 5 south, range 55 east, unsurveyed.

Township 6 south, range 55 east, unsurveyed.

Township 7 south, range 55 east, unsurveyed,

Sections 1 to 30 inclusive;

Sections 31 to 36 inclusive, exclusive of those portions withdrawn by PLO 1662.

Township 8 south, range 55 east, unsurveyed,

Sections 31 to 36 inclusive, exclusive of those portions withdrawn by PLO 1662.

Townships 9 to 14 south, range 55 east, unsurveyed.

Township 16 south, range 55 east,

Sections 1 to 6 inclusive, north half.

Township 5 south, range 55 east half,

Section 6, exclusive of the following described lands:

Beginning at corner numbered 1 a post marked "No. 1 U.S. Survey No. 57, Lot B" from which United States Mineral Monument numbered 5 bears north 84 degrees east at the distance of 1,155 feet and corner numbered 1, of said lot numbered 57A which bears north 61 degrees 27 minutes east at the distance of 43,680 feet;

thence from said corner numbered 1, north 82 degrees west, 363 feet to corner numbered 2, a post marked "No. 2 U.S. Survey No. 57, Lot B";

thence, north 8 degrees east, 594 feet to corner numbered 3, a post marked "No. 3 U.S. Survey No. 57, Lot B";

thence south 82 degrees east 363 feet to corner numbered 4, a post marked "No. 4 U.S. Survey No. 57, Lot B";

thence south 8 degrees west, 594 feet to the place of beginning, the premises herein granted containing 4.95 acres, more or less;

Sections 7 to 8 inclusive;

Sections 16 to 21 inclusive;

Sections 28 to 33 inclusive.

Township 6 south, range 55 east half, east.

Township 7 south, range 55 east half, east, unsurveyed,

Section 4;

Sections 6 and 7;

Sections 5 and 8, exclusive of the following described lands:

Beginning with the description of the South End lode claim, at corner numbered 1, a pine post four inches square, three feet high, marked 1-4658 and 2-4658, in mound of stone, from which United States Mineral Monument numbered 315, bears north 38 degrees 34 minutes west 1,853.9 feet distant;

thence, first course, south 88 degrees 43 minutes east 301.3 feet to a point from which discovery bears south 4 degrees 15 minutes east 454.6 feet distant; 435.4 feet intersect line 1-2 of survey numbered 37, the White Lake and Conception lode claim, at north 1 degree 4 minutes east 364.5 feet from corner numbered 1; 601.3 feet to corner numbered 2, a pine post 4 inches square, 3 feet high marked 2-4658, in mound of stone;

thence, second course, south 4 degrees 15 minutes east 302.4 feet intersect line 3-4 of said survey numbered 37, at north 1 degree 4 minutes east 63.4

feet from corner numbered 4; and from corner numbered 4 corner numbered 1 bears north 88 degrees 43 minutes west 193.9 feet distant; 1,500 feet to corner numbered 3, a pine post 4 inches square, 4 feet long, marked 3–4658, in mound of stone;

thence, third course, north 88 degrees 43 minutes west 601.3 feet to corner numbered 4, a pine post 4 inches square, 4 feet long, marked 4–4658 and 3–4658, in mound of stone;

thence, fourth course, north 4 degrees 15 minutes west 1,500 feet to corner numbered 1, the place of beginning; the survey of the lode claim, as above described, extending 1,500 feet in length along said south end vein or lode:

Beginning, for the description of the South End fraction lode claim at corner numbered 1, a pine post 4 inches square, 4 feet long marked 1–4658, in mound of stone, from which said United States Mineral Monument numbered 315, bears north 20 degrees 27 minutes and 20 seconds west 3,207.7 feet distant;

thence, first course, north 8 degrees 9 minutes east 327.4 feet intersect line 3–4 of said South End lode claim; 796 feet to corner numbered 2, a pine post 4 feet long, 4 inches square, marked 2–4658, in mound of stone;

thence, second course, south 3 degrees 27 minutes east 63.8 feet to a point from which discovery bears south 80 degrees 9 minutes west 302.3 feet distant; 173.3 feet to corner numbered 3, a pine post 4 inches square, 2½ feet above ground, marked 3–4658, in mound of stone;

thence, third course, south 69 degrees 47 minutes west 56.7 feet intersect the east side line of the Black Medal lode claim, unsurveyed, at south 1 degree 13 minutes east 43 feet from the northeast corner; 712.1 feet intersect the west side line of said Black Medal lode claim, at south 3 degree 24 minutes east 54.3 feet from the northwest corner; and from the northwest corner the northeast corner bears north 77 degrees 47 minutes east 655.1 feet distant; 802.7 feet to corner numbered 4, a pine post 4 inches square, 4 feet long, marked 4–4658, in mound of stone;

thence, fourth course, north 3 degrees 27 minutes west 220.7 feet to corner numbered 1, the place of beginning; the survey of the lode claim, as above described, extending 796 feet in length along said South End fraction vein or lode:

Beginning, for the description of the Bride lode claim, at corner numbered 1, a pine post 4 inches square, 3 feet high, marked 1–4658, in mound of stone, from which said United States Mineral Monument Numbered 315, bears north 21 degrees 11 minutes west 1,538.9 feet distant;

thence, first course, south 88 degrees 36 minutes east 600 feet to corner numbered 2, identical with corner numbered 1 of said South End lode claim;

thence, second course, south 4 degrees 15 minutes east 1,500 feet to corner numbered 3, identical with corner numbered 4, of said South End lode claim;

thence, third course, north 88 degrees 36 minutes west 301.3 feet to a point from which discovery bears north 4 degrees 15 minutes west 895.6 feet distant; 600 feet to corner numbered 4, a pine post 4 inches square, 3 feet long, marked 4-4658, in mound of stone;

thence, fourth course, north 4 degrees 15 minutes west 1,500 feet to corner numbered 1, the place of beginning; the survey of the lode claim, as above described, extending 1,500 feet in length along said Bride vein or lode; expressly excepting and excluding from these presents all that portion of the ground hereinbefore described, embraced in said mining claim or survey numbered 37 and said Black Medal lode claim, unsurveyed, and of all veins, lodes and ledges, throughout their entire depth, the tops or apexes of which lie inside of such excluded ground; the premises herein granted; containing 42.104 of an acre:

Beginning at a post marked numbered 1, United States survey numbered 37, from which a prominent rock of point numbered 1 the southern end of a quartzite bluff, bears north 39 degrees, 9 minutes west at the distance of 2,415 feet, a butte numbered 2 in valley at the northern end of Alkali Lake, bears south 14 degrees, 30 minutes west, Emigrant Springs bears north 16 degrees, 25 minutes east. At the distance of 167 feet, and the Nome shaft bears north 19 degrees, 38 minutes west at the distance of 592 feet;

thence from said post north 2 degrees east, 3,000 feet to post marked numbered 2 United States survey numbered 37;

thence south 88 degrees east, 200 feet to post marked numbered 3 United States survey numbered 37;

thence south 2 degrees west, 3,000 feet to post marked numbered 4 United States survey numbered 37;

thence north 88 degrees west 200 feet to the place of beginning. Containing 13.77 acres of land more or less and embracing 3,000 linear feet of said White Lake and Conception lode:

Beginning at a post marked numbered 1, United States survey numbered 38; from which a prominent rocky point numbered 1, the southern end of a quartzite bluff, bears north 44 degrees, 23 minutes west at the distance of 2,057 feet, a butte numbered 2, in valley at the northern end of Alkali Lake, bears south 13 degrees west, Emigrant Springs bears south 28 degrees, 44 minutes east, at the distance of 277 feet, Nome shaft bears north 36 degrees west at the distance of 191 feet, and post numbered 1 of survey numbered 37, made for the claim of J. B. Osborne et al. upon the White Lake and Conception lode, bears south 12 degrees, 2 minutes east at the distance of 412 feet;

thence from said post numbered 1 of this claim north 88 degrees west 200 feet to post marked numbered 2 United States survey numbered 38;

thence north 2 degrees east 2,600 feet to the place of beginning, containing 11.94 acres of land more or less, and embracing 2,600 linear feet of said White Lake numbered 2 and Conception numbered 2 lode.

Section 9;

Section 16;

Section 17, exclusive of the following described lands:

Beginning at corner numbered 1, a pine post 4 feet long, 4 inches square, marked 1–4659, in mound of stone, from which United States Mineral Monument Numbered 315 bears north 15 degrees 4 minutes 30 seconds west 4,780.4 feet distant;

thence, first course, north 89 degrees east 63.8 feet intersect the west side line of the Black Medal lode claim, unsurveyed, at north 3 degrees 24 minutes west 91.5 feet from the southwest corner; 444.4 feet intersect the south end line of said Black Medal lode claim, at north 75 degrees 22 minutes east 387.7 feet from the southwest corner; 566 feet to corner numbered 2, a pine post 4 inches square, 4 feet long, market 2–4659 in mound of stone;

thence, second course, south 2 degrees 18 minutes east 1,500.4 feet to corner numbered 3, a pine post 4 inches square, 4 feet long, marked 3–4659, in mound of stone;

thence, third course, south 89 degrees west 300 feet to a point from which discovery bears north 1 degree west 544.5 feet distant; 600 feet to corner numbered 4, a pine post 4 inches square, 4 feet long, marked 4–4659, in mound of stone;

thence, fourth course, north 1 degree west 1,500 feet to corner numbered 1, the place of beginning; expressly excepting and excluding from these presents all that portion of the ground hereinbefore described, embraced in said Black Medal lode claim, unsurveyed, and also all that portion of the Southern Groom vein or lode, and of all veins, lodes, and ledges, throughout their entire depth, the tops or apexes of which lie inside of such excluded ground; survey numbered 4659 extending 1,500 feet in length along said Southern Groom vein or lode; the premises herein granted, containing 19.676 acres;

Sections 18 to 21 inclusive;

Sections 28 to 30 inclusive;

Sections 31 to 33 inclusive, exclusive of those portions withdrawn by PLO 1662.

Township 8 south, range 55 east half, unsurveyed,

Sections 4, 9, 16, 21, 28, 31 to 33 inclusive, exclusive of those portions withdrawn by PLO 1662.

Township 9 to 14 south, range 55 east half, unsurveyed.

Township 16 south, range 55 east half, unsurveyed,

Sections 1 and 2, north half.

Township 5 south, range 56 east, unsurveyed,

Section 19;

Section 20, exclusive of the following described lands:

Beginning at corner numbered 1, a post marked "No. 1 U.S. Survey No. 41, Lot B" from which corner numbered 1 of lot numbered 41A bears north 18 degrees 30 minutes east, at the distance of 50,370 feet, and Savioh Springs bears south 40 degrees 30 minutes west, at the distance of 244 feet;

thence from said corner numbered 1 of lot numbered 41B south 14 degrees 30 minutes east 605 feet to corner numbered 2, a post marked "No. 2 U.S. Survey No. 41, Lot B";

thence south 75 degrees 30 minutes west, 360 feet to corner numbered 3 a post marked "No. 3 U.S. Survey No. 41, Lot B";

thence north 14 degrees 30 minutes west 605 feet to corner numbered 4 a post marked "No. 4 U.S. Survey No. 41, Lot B";

thence north 75 degrees 30 minutes east 360 feet to the place of beginning, the premises herein granted, containing 5 acres, more or less;

Sections 27 to 35 inclusive.

Township 6 south, range 56 east, unsurveyed,

Sections 2 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive.

Township 7 south, range 56 east, unsurveyed,

Sections 2 to 11 inclusive;

Sections 14 to 23 inclusive;

Sections 26 to 35 inclusive.

Townships 8 to 14 south, range 56 east, unsurveyed.

Township 15 south, range 56 east.

Township 16 south, range 56 east,

Sections 1 and 2;

Section 3, lots 5 to 9 inclusive, east half;

Section 4, lots 5 to 8 inclusive;

Section 5, lots 5 to 9 inclusive, northwest quarter, west half northeast quarter;

Section 6, lots 8 and 9, northeast quarter, west half;

Section 8, lot 1;

Section 9, lot 1;

Tracts 38 to 41 inclusive;

Tracts 42 A, B and C.

Townships 8 to 15 south, range 57 east, unsurveyed.

Township 16 south, range 57 east, unsurveyed,

Sections 1 to 6 inclusive;

Section 7, northeast quarter;

Sections 8 to 16 inclusive;

Section 17, northeast quarter;

Section 20, southeast quarter southwest quarter, south half southeast quarter;

Section 21, northeast quarter, southwest quarter southwest quarter;

Sections 22 to 26 inclusive;

Section 27, northeast quarter;

Section 28, northwest quarter northwest quarter;

Section 29, north half northeast quarter, northeast quarter northwest quarter;

Section 35, northeast quarter;

Section 36.

Townships 8 to 15 south, range 58 east, unsurveyed.

Township 16 south, range 58 east, unsurveyed,

Sections 1 to 10 inclusive;

Sections 15 to 22 inclusive;

Sections 27 to 34 inclusive.

Township 17 south, range 58 east,

Sections 1 to 4 inclusive;

Section 5, northeast quarter;

Section 9, northeast quarter;

Section 10, north half, north half southwest quarter, southeast quarter southwest quarter, southeast quarter;

Sections 11 and 12;

Section 13, northwest quarter;

Section 14, north half, northeast quarter southwest quarter, southeast quarter;

Section 15, northeast quarter northeast quarter.

Township 8 to 14 south, range 59 east, unsurveyed.

SEC. 2. Responsibility for management of the lands withdrawn by this Act is established as follows:

(a) The Secretary of the Air Force shall have exclusive jurisdiction over the management of the lands for military purposes and may authorize use of the lands by the other military departments and agencies of the Department of Defense, and the Department of Energy, as appropriate:

(i) When military operations, public safety or national security, as determined by the Secretary of the Air Force, require the closure of roads and trails commonly in public use, the Secretary of the Air Force is authorized to take such action. Appropriate warning notices shall be kept posted during closures.

(ii) The Secretary of the Air Force shall take necessary precautions to prevent and suppress brush and range fires occurring within and outside the withdrawn lands as a result of military activities. The memorandum of understanding required by section 2(c) of this Act shall provide for Bureau of Land Management cooperation on the suppression of such fires, and for a transfer of funds from the Department of the Air Force to the Bureau of Land Management as compensation for such assistance.

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(b) The Secretary of the Interior shall manage the withdrawn lands and their resources, except the lands in the Desert National Wildlife Range, under principles of multiple use and sustained yield, for uses which may include, but are not limited to, grazing, management of wildlife habitat, control of predatory animals, and the prevention and suppression of brush and range fires resulting from nonmilitary activities. Except as set forth in subsection (a) of this section, the Secretary of the Interior shall also be responsible for the issuance of all cooperative agreements, easements, mineral leases, and rights-of-way over the lands hereby withdrawn and reserved. All such uses, and the issuance of all leases, easements, and rights-of-way, shall be secondary to the military use of the lands and shall be authorized only with concurrence of the Secretary of the Air Force. Within one year of the date of the enactment of this Act, the Secretary of the Interior, after consultation with the Secretary of the Air Force, shall develop, under principles of multiple use and sustained yield, a resource management plan and implementation program for the use and management of the lands withdrawn by this Act. The lands in the Desert National Wildlife Range shall be managed by the Secretary of the Interior in accordance with the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 929, as amended; 16

U.S.C. 668dd et seq.), except to the extent that other uses are required for purposes of national defense.

(c) The Secretary of the Interior and the Secretary of the Air Force shall enter into a memorandum of understanding to implement the plan and program required by this section, except that they may continue in effect the March 11, 1976, memorandum of understanding, or any modification thereof, between the Department of the Interior and the Department of the Air Force covering the administration and joint use of certain portions of the Desert National Wildlife Range. The term of all memorandums of understanding shall be the same as the term of the withdrawal of the involved lands: *Provided, however,* That the provisions of the memorandums of understanding may be amended upon mutual consent of the Secretaries

SEC. 3. The withdrawal established by this Act is not intended to (A) reserve or otherwise withdraw any water for use in connection with the uses identified in the first section of this Act; (B) affect in any manner the future appropriation under State law, by the United States or others, of water in, under or upon the lands withdrawn by this Act; or (C) affect water rights acquired by the Department of the Air Force or other components of the Department of Defense prior to the enactment of this Act for use in connection with military operations at Nellis Air Force Range.

SEC. 4. (a) Except as provided otherwise in this section, the withdrawal established by ths Act shall terminate twenty-five years from the effective date of this Act.

(b) At least three years prior to the expiration of the withdrawal established by this Act, the Secretary of the Air Force shall advise the Secretary of the Interior as to whether the Department of the Air Force will have a continuing need for any of the lands beyond the termination date:

(i) If the Secretary of the Air Force concludes that there will be a continuing need for any of the lands beyond the termination date, he shall file an application for extension of the withdrawal of such lands in accordance with the regulations and procedures applicable to the extension of withdrawals that the Secretary of the Interior has the discretionary authority to issue. In that case, the withdrawal accomplished by this Act shall remain in full force and effect pending processing of the application and a decision and action on the proposed withdrawal by the Secretary of the Interior, and, where required, by the Congress.

(ii) If the Secretary of the Air Force concludes that, beyond the termination date established by subsection (a) of this section, there will be no need for all or any of the lands withdrawn by this act, or if, during the period of withdrawal, the Secretary of the Air

Force determines to relinquish all or any of the lands withdrawn under this Act, he shall file a notice of intention to relinquish with the Secretary of the Interior.

(c) Prior to the filing of a notice of intention to relinquish pursuant to subsection (b)(ii) of this section, the Secretary of the Air Force shall determine whether and to what extent the lands are contaminated with explosives or toxic and other hazardous materials:

(i) If the lands are contaminated, and the Secretary of the Air Force, in coordination with the Secretary of the Interior, determines that decontamination is practicable and economically feasible, taking into consideration the potential future use and value of the land, and that upon decontamination the lands could be opened to operation of the public land laws, including the mining laws, he shall decontaminate the lands, unless Congress declines to appropriate funds for the project.

(ii) If the Secretaries of the Air Force and the Interior conclude either that decontamination of any or all of the lands proposed for relinquishment is not practicable or economically feasible, or that the lands cannot be decontaminated sufficiently to allow them to be opened to operation of the public land laws, or if Congress declines to appropriate funds for the decontamination of the lands, the Secretary of the Interior shall not be required to accept the lands proposed for relinquishment.

(iii) A copy of the determination made by the Secretaries shall be supplied with the notice of intention to relinquish.

(d) If the Secretary of the Interior declines to accept jurisdiction of such lands because of their contaminated state, the withdrawal created by this Act shall continue indefinitely and the lands shall be retained and managed in accordance with the provisions of this Act. In such case, beginning with the fifth anniversary of the termination date of the withdrawal created by this Act, and every five years thereafter, the Secretary of the Air Force, in coordination with the Secretary of the Interior, shall reassess the withdrawal to determine whether or not decontamination of any or all of the lands is practicable and economically feasible. If the Secretaries conclude that decontamination is both practicable and economically feasible, taking into consideration the potential future use and value of the land, and that upon decontamination the lands could be opened to operation of the public land laws, including the mining laws, the Secretary of the Air Force shall decontaminate the land, unless Congress declines to appropriate funds for the project. Following decontamination and upon certification by the Department of the Air

Force that the lands are safe for all nonmilitary uses, the Secretary of the Interior shall reconsider accepting jurisdiction over the lands.

(e) If the Secretary of the Interior decides to accept jurisdiction of the lands withdrawn by this Act which are proposed for relinquishment, he shall publish in the Federal Register an appropriate withdrawal revocation order which shall constitute official acceptance of full jurisdiction by the Secretary of the Interior, shall terminate the withdrawal, and shall state the date upon which the involved lands will be opened to the operation of the public land laws, including the mining laws.

SEC. 5. (a) The functions of the Secretary of the Air Force under this Act may be delegated.

(b) The functions of the Secretary of the Interior under this Act may be delegated, except that a decision to accept a notice of intention to relinquish may be made, and an order pursuant to section 4(e) of this Act, may be approved and signed, only by the Secretary of the Interior, the Under Secretary of the Interior, or an Assistant Secretary of the Department of the Interior.

Mr. SEIBERLING. As members are aware, the Engle Act of 1958 changed the old ground rules with regard to withdrawals of public lands for military use by the Department of Defense or the several service departments.

While earlier withdrawals for such purposes were done by Executive order or public land order, the Engle Act specifies that any such withdrawal involving 5,000 acres or more can be done only by act of Congress.

The bill before us reflects this requirement for congressional action in two regards. First, the various withdrawals or reservations of public lands which comprise the existing Nellis complex are subject to renewal.

Second, the administration is requesting the Congress to expand the Nellis complex by withdrawing, through this bill, additional public lands currently managed by the Bureau of Land Management in accordance with the multiple-use directives of the Federal Land Policy and Management Act of 1976 and other applicable law.

The purpose of today's hearing is to gain a better understanding of what the administration is asking Congress to do with regard to these extensive areas, what needs this request is intended to meet, and what impact the requested actions will have upon the lands and their resources and values, and on those members of the public who have used the lands or who may wish to do so in the future.

In particular, we will be interested in examining how the proposed legislation would affect the status of the Desert National Wildlife Refuge, the BLM's Nevada Wild Horse Range, and the public lands which would be added to the Nellis complex.

Furthermore, we will want to consider how the administration's proposal for military withdrawal of lands covered by the bill relate to the overall pattern of management of the Federal lands in Nevada.

For example, the 1974 administration recommendation for designation of wilderness within the boundaries of the Desert National Wildlife Refuge must be considered, as must the status of other planning and review activities involving Nevada lands managed by one or more Federal agencies.

As usual, many of the witnesses have been grouped into panels to speed up the receipt of their testimony; and as usual, I will ask that members hold their questions until everyone on a panel has testified.

I will recognize members for questions under the 5-minute rule in the order of their arrival, and following the usual alternation between majority and minority members.

As usual, all witnesses are urged to submit any lengthy written statements they may have prepared, and to give brief oral summaries so that there will be more time for questions and answers.

All written statements will, without objection, be included in the record in full and will be carefully considered.

For our first witnesses, we will hear from the Nevada delegation here in the House of Representatives, Congressman Harry Reid of the First District of Nevada, and our colleague on the full committee, Congresswoman Barbara Vucanovich of the Second District of Nevada.

We are glad to have both of you with us today. Let me add that if, after testifying, Mr. Reid wishes to join with the subcommittee to take part in the rest of the hearing, he would be most welcome to do so.

Mrs. Vucanovich, of course, under the rules of the committee, needs no such invitation, since she is entitled to join us as a matter of right.

All right, we might as well start right in.

Mr. REID. Mr. Chairman, briefly, Mrs. Vucanovich and myself would like to introduce to you and to the committee the Governor of the State of Nevada, Richard Bryan, who we would ask that you allow to testify first.

Mr. SEIBERLING. Certainly. We are very pleased to have the Governor. If it is all right, I would like to place ladies first. I am an old-fashioned individual in some respects.

[Prepared statements of Hon. Barbara F. Vucanovich, Gov. Richard Bryan, and Hon. Harry Reid may be found in appendix III.]

PANEL CONSISTING OF HON. BARBARA F. VUCANOVICH, A U.S. REPRESENTATIVE FROM THE STATE OF NEVADA; HON. RICHARD BRYAN, GOVERNOR OF THE STATE OF NEVADA; AND HON. HARRY REID, A U.S. REPRESENTATIVE FROM THE STATE OF NEVADA

Mrs. VUCANOVICH. I will defer to your good judgment.

Thank you, Chairman Seiberling, for holding this hearing. Let me begin by welcoming Governor Bryan, whose presence here today shows, I think, the level of interest and concern that this issue generates in Nevada.

I appreciate the opportunity to appear before you today to discuss H.R. 4932. This bill would renew the withdrawal of the approximately 2.9 million acres that comprise the Nellis Air Force Range in Lincoln, Clark, and Nye Counties within the State of Nevada.

In addition, the bill would provide for the first-time withdrawal of approximately 90,000 acres in Lincoln County. It is on this additional acreage that I will focus my remarks today.

The vast majority of lands in Nevada, more than any other Western State except Alaska, are controlled by the Federal Government. The State as a whole is about 87 percent Federal land and in some counties, Lincoln County being one of them, the Federal land encompasses more than 99 percent of the total.

I am sure you can understand, then, that Federal land policies are of critical importance to Nevadans. And the way that the policies are implemented hits right at the heart of resource management and economic growth within our State.

So when a withdrawal of this, or any, magnitude is proposed, Nevadans want to be informed. Unfortunately in this case, many of those most directly affected, the Lincoln County Commissioners and the individuals with economic interests in the land, were not consulted or informed until after the story appeared in the newspapers.

We Nevadans are patriotic, and we certainly believe in a strong national defense. But we also want to be treated fairly. Having said this, I want to assure the Air Force that I appreciate their willingness to discuss what my concerns have been and to work with me, and the affected parties, to resolve whatever problems we might have with the legislation.

Two examples will illustrate how we have been working to accommodate the individuals affected by this withdrawal.

First, the ranchers in Nevada were concerned because of the withdrawal's impact on grazing. The permittee who is affected uses the area for virtually all of his summer range. As we all know, a grazing permit may be just that, and not a right, but we also know that they are not looked on that way by ranching families, or even by the IRS when it comes time to pay estate taxes.

The ranchers were concerned that the clause which gives the Air Force the last say in managing the area would ultimately mean that the grazing permit would be revoked.

I am pleased to say that the Air Force has assured the permittee that he will be able to continue to graze his cattle in the area, and we are now working on a mutually acceptable means of including this provision in the legislation.

Second, there is the Sheahan family, who has owned the Groom mine, located within the withdrawal area, for more than 90 years. They had serious concerns about whether or not they, and their employees, would be allowed access to their property. They were also concerned that they would eventually be forced to give up their property.

This conflict, though not completely resolved, is now being negotiated between the Sheahans and the Air Force. The Air Force has offered to lease the property for a period of 5 years, at fair market value, with the right of the Air Force to renew the lease for an additional 5 years.

The Sheahans are optimistic that they will be able to come to mutually agreeable arrangement and only hope that the Air Force will continue to deal with them in good faith and carry through on the letter they have issued.

I second that hope, and will certainly continue to work with both parties to ensure that the Sheahans' interests are protected.

In conclusion, let me reemphasize that although I am pleased that we have, in these cases, been able to begin resolving resource conflicts, this does not excuse the lack of coordination between the Federal Government and the local residents.

Nevadans have been good neighbors to the Federal Government, I think it only fair that this courtesy is returned.

I would like to again thank Chairman Seiberling for holding this hearing. I look forward to discussing these and other issues with the distinguished witnesses we have here today.

Thank you, Mr. Chairman.

Mr. SEIBERLING. Thank you.

Congressman Reid.

Mr. REID. If it is OK with you, may the Governor proceed, Mr. Chairman?

Mr. SEIBERLING. Surely.

Governor Bryan.

Governor BRYAN. I would like to begin by thanking you and the members of the Subcommittee on Public Lands and National Parks for convening this hearing on a matter that is of great concern to me and to the citizens of my Nevada.

Also, if I might acknowledge, somewhat belatedly, the key role you played with former Congressman Santini on the MX siting controversy, and your willingness to provide an opportunity for Nevadans to have hearings on that critical issue.

Today, I am here to express my strong opposition to the manner in which public land in Nevada is being appropriated by the Federal Government for defense-related activities.

I am alarmed because Nevada land is being taken without proper public review, without analysis of the impact upon the community and State, and without any—I repeat, any—type of compensation for the Nevadans whose lives and livelihoods are being severely disrupted.

Mr. Chairman, as you know, the State of Nevada has a long history of commitment to and involvement with the Federal Government on matters of national security and defense.

Since World War II, Nevada has been the site of extensive nuclear weapons development and testing. Since the early 1950's, more than 600 different nuclear devices have been detonated above and below ground on the Nevada testsite.

Nevada's commitment to national defense has not been made without sacrifice. Much of the testsite's 864,000 acres are contaminated and unfit for public use.

Not only is Nevada's national defense commitment evidenced at the testsite, but also at the Nellis Air Force Base top secret bombing and gunnery range, which is the subject of this hearing.

The range, which covers more than 2.9 million acres, has been the location of numerous, highly classified military activities.

Originally established in the 1940's, the area reportedly has been used to test MX, cruise, and Pershing missiles, the Stealth bomber as well as to train Air Force pilots and flight crews in a broad spectrum of tactical missions.

Additionally, many of the President's "Star Wars" concepts may be developed and tested here.

Because of the highly classified nature of the activities at the range, we cannot be certain exactly what effects these tests and projects are having, or will have, on the terrain and immediate environment of the area.

We do know that this area will never again be accessible to the public and that another major chunk of land, Nevada land, is lost.

Nearly 40 percent of Nevada's air space is under some type of Federal control, either fully restricted for military purposes or classified as military operations area, which have the effect of severely limiting use by commercial and private aviation.

In addition, Mr. Chairman, Nevada is now being examined by other Federal agencies as a location for their activities, and because of that, additional acreage is being considered for withdrawal and could be lost for public use.

The Air Force, for example, wants exclusive use of air space above areas in central and eastern Nevada to conduct supersonic flight training, while the U.S. Navy is proposing to designate and withdraw some 5,600 square miles in the middle of the State.

Additionally, as you are aware, yet another area in southern Nevada is being studied by the Department of Energy as the site for a high-level radioactive waste repository.

Of Nevada's roughly 70 million acres, more than 60 million acres are directly controlled or managed by the Federal Government. The percentage of Nevada's territory already reserved strictly for various Federal purposes is staggering, second only to Alaska.

For years, Nevadans have acquiesced to defense-related land withdrawals, but the time has come to draw the line.

At issue is the Department of the Air Force's arbitrary addition of some 89,000 acres of BLM land to the original 2,945,726-acre Nellis Air Force Base bombing range withdrawal request, contending that the additional acreage is needed to guarantee security of a highly classified section of the range.

For the record, let me make one thing very clear. I do not question the Air Force's legitimate need to withdraw this land for security reasons.

What I do question, and what I am strongly opposed to, is the manner in which the Air Force has attempted to hoodwink the Congress and the State of Nevada by adding the 89,000 acres to a routine request without public review of any kind and without a thorough assessment of the social, economic, and environmental impacts attendant upon such a withdrawal.

I am here today to argue for a separate review of this additional acreage request. Once separated, there must be a full environmental impact statement, complete with public hearings.

The Air Force simply must be made to adhere to the established process, procedures, and laws regarding withdrawals of this size. Only then can the impact of this withdrawal be clearly identified and Nevadans properly compensated.

As you are probably aware, Mr. Chairman, Nevada is one of the fastest growing States in the Nation. Our population has more than doubled in the past 10 years, and is expected to reach the 1 million mark soon.

All our citizens, but our ranchers, miners, rural residents, in particular, and wildlife enthusiasts in particular, are dependent on public lands for their livelihood, indeed, their very lifestyles.

I strongly suggest to you that the day is past when the Federal Government can look at Nevada, and the Great Basin in general, as an unpopulated wasteland to be cordoned off for whatever national purpose seems to require it.

H.R. 4932, the proposed withdrawal, strikes at the heart of this crucial Federal-State land use issue. I have grave concerns over the inclusion of lands for withdrawal from the public domain that have not gone through the environmental impact assessment process, and over the precedent that this type of action establishes; that precedent being that whenever the Federal Government wants to withdraw Nevada's public lands for defense or national security purposes, it may do so without considering the effects of such withdrawal upon the State and its people.

I am particularly concerned about the loss of wildlife-related recreational potential associated with the additional 89,000 acres in the Groom Range.

Nevada sportsmen and outdoor enthusiasts have already sacrificed the opportunity to enjoy wildlife-based recreation on nearly 3 million acres encompassed by the existing Nellis Range.

This area includes mule deer, pronghorn antelope, desert bighorn sheep, mountain lion, chukar partridge, Gambel's quail, and numerous other species of fur-bearing and nongame animals.

Now, additional significant acreage which supports most of these same wildlife species will be unavailable for public access. The people of Nevada must be compensated for this loss and compensated to the highest degree possible by replacement with the same kinds of recreational opportunities.

This can only be done by enhancing the ability of surrounding, and still accessible public lands, to support a broader distribution and greater numbers of wildlife.

A representative of our department of wildlife is here with me today to express, in more detail, our wildlife concerns and appropriate compensation measures.

In addition to requiring a full environmental impact statement according to the provisions of the National Environmental Policy Act for the 89,000 acres in question, I am also suggesting that the State of Nevada and the Federal Government, working together, establish firm guidelines and conditions for withdrawing land in the future.

Such guidelines should provide, first, that all pending and future withdrawals be subjected to the full NEPA process.

Second, that the Federal Government return to the State an acre of land of comparable value for every acre proposed for any type of permanent withdrawal or that some other method of compensation be mutually agreed upon.

Third, that funds be provided to the State and to local governments to assist in the review of these proposed withdrawals and to provide for adequate land use planning activities.

Fourth, that payment in lieu of taxes on such land be maintained and that these payments be based upon equity and real value.

Fifth, that the Federal Government provide additional assistance to the affected localities, such as paving roads, maintaining air strips, upgrading recreational areas, and other assistance identified through public hearings and by working in concern with local elected officials.

What I am urging, Mr. Chairman, is a process that will provide direct and adequate compensation to the State and to local entities beyond the mitigation of direct impacts alone.

Again let me stress, Mr. Chairman, that the concerns I have addressed have less to do with the specifics of the additional 89,000-acre withdrawal then they do with the general issues of process, equity, and the nature of Federal-State relations.

The people of Nevada have always responded when called upon to support legitimate Federal purposes. What we cannot and will not countenance is the denial of the right to participate in major decisions affecting our State.

In summary, Mr. Chairman, I am requesting that your committee and the U.S. Congress require the Air Force to submit the 89,000 acres through the NEPA process, that it be required to identify all impacts, and that it be required to provide compensation to the State and local governmental entities in a manner that is equitable and fair.

Thank you.

Mr. **Seiberling**. Thank you, Governor, for some very important testimony.

Mr. Reid?

Mr. **Reid**. Mr. Chairman, I would also like to publicly commend you for the work that you have done with the State of Nevada generally.

I can remember the first time that I met you. You were looking at a problem that has been confronting Nevada for some time, and that is our wild horse problem.

Mr. **Seiberling**. I regret to say, we have not made much progress.

Mr. **Reid**. But at least, Mr. Chairman, you have been there and you have seen the problem. That is more than I can say for most people who really don't understand the problem from a personal perspective.

I appreciate during this past year and a half the help and assistance you have given me in attempting to work out our wilderness bill, which is so important to the State of Nevada.

I look to you in the future for great guidance in that effort. I appreciate the opportunity to appear before you on this issue, and express my concerns regarding H.R. 4932.

This bill withdraws and reserves for the Department of the Air Force public lands within the Nellis Air Force Range, within Clark County, Nye, and Lincoln County in Nevada. This land is used for training and weapons testing and for other uses.

The withdrawal of approximately 3,034,929 acres of public land allows for the continuance of military testing and training which has been ongoing since the early 1940's.

Approximately 2,944,929 acres have been authorized for withdrawal in the past; H.R. 4932 asks for approximately 90,000 additional acres to provide a buffer to prevent the compromising of our national security and public safety.

It is this additional 90,000 acres about which I am concerned and will discuss in my testimony today.

First, let me state that most Nevadans clearly understand the need for sacrifices regarding the national security and national defense of our country.

Most Nevadans, I believe, feel that Nevada is doing its fair share, if not more. On the other hand, Nellis Air Force Base and the Nevada test site are valued partners in our community.

These installations are an integral part of the economic base of southern Nevada, providing 13,000 military, civil service, civilian employee, and contract worker jobs. Business opportunities for those who provide sales and services result in multimillions of dollars.

The Nellis community, when counting family members and retirees, has a population of approximately 56,000. Nellis would qualify as the fourth largest city in Nevada.

Yet, it must be kept in mind that the Federal Government owns and controls over 87 percent of the land in my State. Approximately 40 percent of the air space of Nevada is restricted under military control. One can understand why any additional withdrawal of public land concerns Nevadans.

Nevada is among the fastest growing States in the Union and a high percentage of its population looks to the public lands for much of its recreation. Nevadans are an outdoor-oriented people and greatly value the wildlife and hunting opportunities, as well as nonconsumptive recreation which the public lands provide.

It must be emphasized that most of Nevada is desert. Water is a commodity that is prized beyond the imagination of most Americans, except by those who share our knowledge of these arid lands.

This withdrawal includes the Groom Mountain Range, and its very good wildlife habitat. It contains 3 springs, each with a flow of 50 gallons per minute. There are numerous water seeps, all of which support a good population of deer, quail, chukar, and rabbits.

It is potentially an excellent site for the placing of bighorn sheep. In short, this is prized hunting territory. It may not, in the minds of some, compare with the green forested majestic areas of other parts of the country, but to us it is among the most beautiful land in the world.

Much of the public criticism that has been raised by the withdrawal of this additional 90,000 acres is a result of a belief that the Air Force has not proceeded in a legal manner.

Some Nevadans believe that the closing of the lands, known as the Groom Mountain Range, under the banner of national security is an arrogant display of power.

The Air Force insists that the withdrawal application was presented to the State Office of the Bureau of Land Management and that the Nevada congressional delegation was briefed concerning the proposed action in 1982. I urge this committee to determine the validity, legality, and appropriateness of these actions.

This certainly is the way to approach this, rather than by second-guessing the legality of this procedure.

During the last month, I have had the opportunity to visit the Groom Mountain Range and the adjacent area of the Nellis Air Force Range. I have walked through the Groom mining site, the famous area 51 at the test site, and also viewed both from a helicopter near the top of Bald Mountain located in the Groom Range.

I have been briefed by the Air Force at the test site regarding their activities there. I am convinced that the national security interests of the country will be served by this withdrawal.

Deviating from the prepared text, I would like to indicate that my going to the area certainly gave me a different insight into this area 51, and the reason that the Air Force has asked for this land.

The famous Sheahan mine is directly in view of the area 51 where the secret work is going on. I would suggest that the area from the Sheahan mine is not an area that one needs to look at with a pair of binoculars, but with a bare eye. One can see whatever is going on down in that testing area, and that is the reason that I support the withdrawal.

Even so, it is the impact of this withdrawal that I wish to talk about a little more today. There are private citizens of Nevada who have legal rights to ownership of some of this land. Mining claims affecting two families and grazing rights held by another are issues that must be taken into account, with compensation to be guaranteed.

Wildlife management projects and wildlife lands must be protected.

Compensation to offset the loss of the public's use of this land should come in the form of Federal grants to the State to rehabilitate off-base wildlife lands to raise their carrying capacity to offset the loss of the Groom Mountains and the purchase of private lands adjacent to existing State management areas.

Groom mine, located on the property proposed for withdrawal, is owned by the Sheahan family. This family has owned and mined this property since the 1890's. They have legal rights to approximately 22 mining claims on the proposed land, most of which are patented.

It is imperative that their rights be protected and that they be compensated for any losses incurred. Over the years that the Nellis gunnery range and the test site has been in operation they have been directly in line with what has been going on there. The two brothers and the sister are patriots, but they certainly value this property that has been in some instances their birthplace. They have all been raised on this mining site.

The Air Force and the Sheahans are in the early stages of preparing to negotiate a 5-year lease with a 5-year renewal option which will include limited access to the property for the owners and their families.

I am going to supply a letter that I received Friday from the attorney representing the Sheahans, a letter which indicates that he believes something can be worked out. He would ask that certain guidelines be followed, and that it be done expeditiously.

Mr. SEIBERLING. Do you wish to have that put in the record?

Mr. REID. Yes, I would, the original.

Mr. SEIBERLING. Without objection.

[EDITOR'S NOTE.—The document referred to by Mr. Reid is a letter from Denton & Denton, Ltd., attorneys at law, dated August 3, 1984. That letter may be found in appendix III, following Mr. Reid's prepared statement. See table of contents for page number.]

Mr. REID. I want to ensure that it is understood by all concerned that access to the property by the family is not considered for just family outings for the purpose of reunions or picnics.

Assessment work is required by law to maintain claims, and access is needed to perform the required work. It is essential that the lease allow the structures in the tunnels to be preserved and maintained, the water systems maintained so if and when the lease agreement ends, the Sheahans regain their property in the same conditions as it is on the day the agreement commences.

During this time when increased military uses of public lands are being sought, Nevadans are becoming extremely sensitive to the impacts this may have on their health, economic livelihood and recreational interests.

I share those concerns and wholeheartedly support the premise that Nevadans should be compensated for any loss. Several options exist and one that is viable would be for the Federal Government to purchase approximately 9,000 acres of private land on the border of the Red Rock recreation area outside of Las Vegas. This acquisition is supported strongly by the Sierra Club.

I think it is a great idea, and you will hear more on this later on.

Santini-Burton is an example of existing law which embodies the concept of a land exchange occurring in two distinct steps. The first step is to sell excess Federal land and deposit the funds in an escrow account.

The second step is to approach private landowners who are willing to sell desirable land to the Federal Government for cash. The cash comes from the escrow account.

The Santini-Burton approach allows a consolidation of private and public lands for better land management practices without the frustrating, time-consuming process of trading lands on an equal, fair market price basis.

If the Federal Government established an escrow account equal to the value, of the lands removed from the public domain, it could be used to acquire private property such as that Red Rock Canyon in southern Nevada.

This will increase public recreation opportunities and, I believe, provide a viable and proper form of compensation.

For many years, the veterans of Nevada have been working to establish and develop a veterans' cemetery. A major problem has been the acquisition of property.

Currently, 80 acres of public land, controlled by the Bureau of Land Management, has been determined to be appropriate for the cemetery by a veterans' commission established by the Governor. Yet, the price, based on fair market value, is prohibitive to the taxpayers of Nevada. This is just another area that should be included in compensating Nevada.

The State of Nevada and citizens of Lincoln County are attempting to purchase private property from the Union Pacific Railroad Co. This property is in an area known as Condor Canyon, and contains approximately 8 miles of railroad track running north from Panaca.

This track is a stretch once used by the Pioche-Bullionville Railroad and has been in existence since the 1870's.

This area has not only tremendous recreational potential, but historical significance as well. Lincoln County intends to restore the historical line using a steam engine train to provide tourist opportunities for the community and to preserve a part of our historical railroad and mining heritage.

The potential for developing a reservoir to be used for fishing also exists. The potential here for recreation is tremendous.

In closing, I would like to reiterate that I believe the private citizens with property rights must be compensated and protected. I believe and trust that this will happen. I also believe the State of Nevada and its citizens will suffer from this withdrawal, and also must be compensated.

The State of Nevada has always been an effective working partner with the Federal Government. Nevada fully expects the Federal Government to reciprocate in this matter. Compensation is deserved and must be made.

The memoranda of understanding currently in effect establishing the States relationships with Federal agencies working on wildlife management and land management must continue to be observed.

In this day and age when words such as fairness and justice are being thrown about, I believe that Nevadans expect the Federal Government to be nothing less than fair and just.

Thank you, Mr. Chairman.

Mr. SEIBERLING. Thank you.

I want to thank all three witnesses for some very excellent statements. I want to commend you, Congressman Reid, for your initiative in trying to resolve the RARE II wildlife situation in Nevada, and hope that that can be done before much longer.

Everybody deserves to have it settled. I guess you have all three made the same basic points.

First of all, the procedural point, that you feel that the Air Force has acted in a highhanded manner, not following due process, and not having any public input or not even consulting before they have taken the action that they have taken.

Second, a full set of hearings, and environmental impact statements should be made.

Third, that the State and it people should be compensated for any land that is withdrawn, and then there were various subsidiary implementing suggestions, all of which are very helpful to this committee, and I think we should pursue.

When this hearing was first scheduled, it was scheduled as a result of the Air Force having come to me; they explained that they were interested in making this additional withdrawal, and they recognized that it had to be done by legislation, and they were somewhat apologetic for the fact that they had taken certain actions which they felt necessary prior to official withdrawal.

We will get into that when they testify.

I am not sure I have any particular questions at this point.

Mr. REID. Mr. Chairman, may I make one statement in relation to your comments?

Mr. SEIBERLING. Yes.

Mr. REID. The one thing that I would like to stress, if at all possible, is the fact that for the Sheahans, the other miners in the area and the men that graze cattle and for the people of the State generally, and I think I am speaking for the Air Force, I would really hope that we could expeditiously do something in this area.

It is from a physical standpoint a very, very difficult situation. Area 51 is located in a little depressed area in the middle of that desert.

We have a mine on the top, and access to area 51 is within just a few feet of the activities that are going on there. I would really hope that this moves expeditiously.

We do not want speed to take away from the point we have made, that we really need to be compensated for this. The recreation area in Nevada is so limited, that we think there must be an exchange made for this area.

Because the people that are in effect guarding the area have no right to guard it. If somebody says he is going through, they have no way to stop him. It is dangerous from a national security standpoint and the people of the State of Nevada are in kind of a never-never-land.

Mr. **Seiberling**. I agree with the recommendation about expedition. At the same time, with all of the points that have been raised, including compensation and environmental impact statements and further public hearing, I wonder how expeditious we can be, particularly since we only have a week left of this particular part of this session, and then we come back in September and have about 4 weeks, and then we are out of business in this Congress.

I do think it would be helpful, if the delegation and the State could indicate some priorities here. Of course, we could take action and mandate further action by the Air Force before any final steps are taken, but, just exploring that option may take some time.

However, I would say that with a 3.5-week recess about to come up, it may well be that the staff could work with the Governor's office and the Air Force and other interested groups to see if between now and then we could put together some kind of a package that would be acceptable to all concerned, at least as an interim measure.

The Air Force indicated there was some urgency to their action, and that is why they did some things that they didn't really have the legal authority to do, and we will get into that, as I said.

What do you think about using the recess in that manner?

Mr. **Reid**. I am totally in favor of that, and I know the Governor would give his office full authority.

Governor **Bryan**. Recognizing as I have acknowledged in the testimony that I have offered that there is legitimacy to this request, I am concerned about the precedent, that is, the precedent that the end justifies the means.

I would certainly hope that whatever decision this subcommittee makes, and whatever recommendation the Congress ultimately approves, that there is a message that is communicated, and that is, the attitude that we in Nevada feel that is somewhat pervasive on the part of the Federal Government, that if there is a project that needs to be done, if there is some sort of undesirable or hazardous or dangerous testing at some place no other place in the country is interested in, that Nevada will take it.

I understand that, Mr. Chairman. That is an attitude that we in Nevada find unacceptable, and I would hope the Federal agencies are not encouraged to act first and then seek congressional redress later.

That is a process that we find fraught with danger in terms of the precedent. I just hope whatever action is taken, that your committee might see fit to send a clear message, that this kind of action is not acceptable viewed from the part of the Congress and certainly not from our part.

Mr. **Reid**. Until Chairman Udall showed up, I was going to say, send it to Arizona.

Mr. **Seiberling**. I have one other question.

I assume that there is a military justification for the need to withdraw this land, and if we don't do it in Nevada, where do you suggest we do it? I am not being facetious.

Mr. **Reid**. I don't think any of us are saying that it should not be there. We feel there should have been a little more planning done, so that Nevada could have participated in this, and we would not be coming in after the fact.

We have so little water in Nevada and by most standards, the water we have there today doesn't amount to much. But to us it means the difference in having a place to hunt chukar and maybe being able to have bighorn sheep.

I don't think any of us are saying get rid of it. We are just saying that there should have been more planning. I think your suggestion is excellent, Mr. Chairman, that during this recess we attempt to work out something.

Certainly, a message should be delivered to all those people that created this problem. We must have a little more input into what takes place out there. We are running out of places where activities like this can be conducted.

Mr. SEIBERLING. Do you feel it is possible to do this on an interim basis where there could be some interim steps worked out?

Mr. REID. I have no problems with that, Mr. Chairman, as long as there are some guarantees that these problems will be taken care of, that it won't just be dropped.

Mr. SEIBERLING. I am going to give the Air Force an opportunity to explain their actions, so I am not going to prejudge them until they have had an opportunity, but it does strike me that there has not been the fullest sensitivity toward the law, and toward the interests of the other people.

Mrs. VUCANOVICH. Mr. Chairman, if I may just say, I agree. We concur that we can't have the Air Force, Navy, or anyone, come to our State and assume that it is a big wasteland, and that they can do anything they wish.

We have to be responsive to the people in our State.

Mr. SEIBERLING. My time has expired.

I now recognize our distinguished chairman, Mr. Udall.

The CHAIRMAN. I am impressed with this collection of raw political power here, Mrs. Vucanovich, the great Governor, and Harry Reid, who provided such leadership on so many things for his people.

I was trying to think of something appropriate I might do in the light of his kind offer to give this to Arizona. This would never happen, but maybe we could dream up a scheme where they take the MX missile and have a racetrack occupy half of the State of Nevada.

No one would ever do such a thing.

I do appreciate your presence here today. This is an important matter and part of the reason I am here is that we have some similar problems in Arizona, particularly with regard to the Gila Bend gunnery and Yuma areas.

In Arizona, some outsiders might refer to these areas, and Mr. Reid touched on it, as just a vast wasteland. There is 150 miles between Gila Bend and Yuma, and it looks like the back side of the Moon, yet we are running out of places to train jet pilots and have enough air space to turn these modern jets around.

We have done our share, and Nevada has done its share, but I am concerned, especially with the issue that has been raised here in the last few minutes.

We live in a country where we have a rule of law, and there has been a temptation in Arizona and Nevada and other Western States for the military, for good reasons—and we are all for national security—to want to get their hands on additional areas. That is good, except that it has to be done by the Congress.

There has been what amounts to an illegal trespass by the military all of these years on very large areas in Nevada and in our State. Out of these hearings and this action, hopefully, in this Congress, I think we can get the law satisfied and laid out legally by act of Congress what is available and what uses can be made, and at the same time, we can protect some of the natural resource values and some of the citizens of Nevada.

I think these are important hearings and I am impressed with the testimony of our three witnesses and I assure them and the military of my cooperation and so we all know where we stand, and we can protect the multiple values that are involved and in conflict here.

Mr. Chairman, I congratulate you on holding these hearings, and I will work with you in trying to find answers.

Mr. SEIBERLING. I thank the chairman, and I would like to add one other personal observation. I have been out to this area several times, including the time we made a field trip to look at the MX racetrack proposal, and another time to look at the wild horse problem, and I personally think that the Nevada desert, which some people may think is a forbidding wasteland, is a very beautiful place, and there is lots of wildlife there.

I remember when we were at the test site for the racetrack shelter, and one of our colleagues, who is no longer in Congress, was there, and he said, "Well, this land is not any good for anything. There is nothing here."

And I said, "Well, you would be surprised at all the wildlife out in that sagebrush, and all of the tremendous value of this ecology, even though it looks like a wasteland to you," and I do feel that there are values here.

Everything has to be compromised in a world where there are many conflicting uses, but I agree with you about the importance of the procedural aspects of this.

I am on the Judiciary Committee, and we are now at the point of the 10th anniversary of the impeachment investigation, and I remember how many illegal and improper actions were justified in the name of national security, or were attempted to be, during those days, and it should be caution to us that no man, no institution is above the law in this country.

That is why we are having this hearing today, to make sure that due process and proper constitutional considerations are observed.

Thank you very much. We will work with you.

Mr. REID. Thank you, Mr. Chairman.

Mr. SEIBERLING. All right, our next panel consists of Mr. Jack Rittenhouse, Deputy to the Deputy Secretary for Installations, Department of the Air Force; and Mr. Frank Edwards, Assistant Director for Land Resources, Bureau of Land Management, Department of the Interior.

Mr. Secretary?

[Prepared statements of Hon. John O. Rittenhouse and Frank A. Edwards may be found in appendix III.]

PANEL CONSISTING OF HON. JOHN O. RITTENHOUSE, DEPUTY FOR INSTALLATIONS MANAGEMENT, OFFICE OF THE DEPUTY ASSISTANT SECRETARY, U.S. AIR FORCE; AND HON. FRANK A. EDWARDS, ASSISTANT DIRECTOR, LAND RESOURCES, BUREAU OF LAND MANAGEMENT, U.S. DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY JAMES F. GILLETT, CHIEF, DIVISION OF REFUGE MANAGEMENT, FISH AND WILDLIFE SERVICE

Mr. RITTENHOUSE. I am John O. Rittenhouse, otherwise known as Jack, the Deputy for Installations Management for the Air Force, and I am pleased to appear before this subcommittee to discuss H.R. 4932.

I am going to give my prepared statement for the record. It has already been submitted, and I am going to briefly summarize now some of the points that might be pertinent to the discussion as I have heard it here this morning, Mr. Chairman.

The Nellis Air Force Range comprises the largest air and ground space available in the free world for peacetime military operations. It is operated and maintained to handle the Department of Defense and Air Force requirements for realistic combat-like training environments.

The military services, as well as other Federal Departments and allied Federal Governments, foreign governments, use the unique facilities for test and evaluation, aerial gunnery, tactical maneuvering and air support, electronic warfare and large-scale military exercises such as Red Flag and as you recall, you saw the operation of Red Flag when you were out 2 years ago.

Because of the large expansion of land area required to conduct the unique testing and training, there are no other areas available to accomplish these missions.

Furthermore, due to the high cost of development of a range as complex and diversified as this, a cost which is estimated to be close to $1 billion, it is unlikely that a range such as this could be duplicated in any other area in the free world.

I might point out at this point that the history of the range goes back to original land withdrawals that were done under Presidential order by President Roosevelt in 1940, so it has a longstanding history.

The continuing use of this national asset permits a realistic combat training environment which is an element vital to attaining and maintaining our air combat capabilities.

The value of the Nellis Air Force Range is immeasurable, as the members of this subcommittee and your staffs have recently seen. Furthermore, the importance of this range in preparing our tactical forces for combat cannot be overemphasized.

The environmental impact statement on this range was filed in April 1981. It was started in the late seventies. I bring these timeframes up only, Mr. Chairman, in consideration of the discussion of expedition that Congressman Reid mentioned before.

We first applied and went through the NEPA process in 1977. The environmental impact statement was made in 1981. That gives you some idea of the portion of the review that deals only with the NEPA process.

At that time, the need for the 89,600 acres which was discussed at length here this morning was not evident, and as a consequence, we approached the Governor, the then-Governor of the State of Nevada, the congressional delegation, both the Senators and the Congressmen at that time, and it was Jim Santini, and briefed them on the need to undertake this addition of property which constitutes approximately 2 percent of the total withdrawal.

I might also point out in summary, that the land involved here, just a shade over 3 million acres of public land, 2.9 million acres which we talked about in 1977–79, during the full-blown environmental impact process, and the public hearings that were held thereto constitutes less than has been the Nellis Range in the past.

The Nellis Range had upward of 3.6 million acres at one point in time, so there has been a net diminishment over the years of the range complex.

Without dwelling too much on the aspects of national security which I know you, Mr. Chairman, and Mrs. Vucanovich have been briefed on already, I would stress—one comment that I heard from the Governor's statement, and from the two congressional Representatives from that State, was the unquestioned need for the withdrawal in a timely manner of this 89,300 acres.

And I just point out the timeframes that we have. One other thing I would like to point out, Mr. Chairman, in these prefatory comments, in addition to the NEPA process, there were four other reviews that were taking place over the years from 1977 to this point in 1984.

One review had to do with the internal reviews of the Department of the Interior and the comments that were elicited from all Federal and State agencies during that period of time.

The second review, in addition to the NEPA process, was the review that is accomplished by the OMB prior to the bill's being reported over to the Congress for the hearings that we are currently involved.

During the process of the OMB review, we had unfortunately lapped over into two sessions of the Congress. We, therefore, had to recycle the OMB review, and go back again and replenish that, which took us approximately another 18 months.

Without belaboring the point, what I am trying to do for you and the members of your committee is to point out the timeframe that the various processes that are required consume in order to accomplish this land withdrawal. We started when the expiration took place, which was approximately 1977. From 1977 until this day, we have been pursuing the various administrative requirements to get a rewithdrawal. I would point out except for the 89,600 acres, this constitutes a revisiting of the withdrawal process under the Engle Act, as you pointed out in your preliminary comments.

I would point out to you one other thing in regard to the 89,600 acres. That is, the total use of that property will be to control access and nothing more. We are not taking any water. We are not taking anything other than controlling the access to that property, which again I would point that the three members from the State of Nevada agreed in their personal views had to be done.

It is unfortunate that the process was so involved that we did have to make a judgment to exercise surface control over this property in advance of the time that this withdrawal was accomplished. It is unfortunate but it is true, there was a determination made because of the highly sensitive nature of the operations at areas in and overlooking the Groom Range.

Now, I hate to belabor the national security aspects of this thing, but they are paramount in the 89,600 acre portion of this withdrawal. I might point out, too, that the people who have grazing rights in the area have been assured that those grazing rights will continue in writing, that the people who own mining claims in the area have always been availed of the possibility of us, with their willingness to purchase an interest in those mining claims, so that they could be compensated on a fair market appraisal, as Congresswoman Vucanovich has so aptly pointed out, and allowed us to continue our highly sensitive operations there while at the same time compensating the citizenry of the State of Nevada.

And the other question that I would like to point out is in regard to the military operating areas or the airspace. The Air Force only controls the military—only controls the areas over the withdrawals by virtue of a separate process that is arrived at by FAA and most of those what we call MOA's, or military operating areas, the FAA conducts, as it is required to, the NEPA process, holding the various hearings, gives the public notice; and they bear no relationship to the withdrawal here at hand.

There are separate issues that are administered through FAA. They do relate to the ranges because we do have to fly our aircraft over them as well as having land over which to operate.

I might point out that, too, in the current legislation, the Air Force only controls the military aspects of the withdrawal. The Department of the Interior controls all others with Air Force concurrence. So there is no change in the nature of this withdrawal from the prior withdrawal. There is no change in the manner in which we relate to the Bureau of Land Management and Department of the Interior. There is no change in the way we relate to the grazing leasehold owners. There is no change in the way we relate to the mining claim owners.

I might point out that we have had an excellent relationship over the years with the Sheahan family and with the folks who have the grazing rights out there. There have been times when they are extremely patient with us by allowing us to control their access to a time phase situation. They are the most patriotic people that we in the Air Force know of, and I would say it without reservation, that the Governor was totally correct in stating that the Western folks—that goes for your State, sir, Mr. Udall, Arizona—have been super in support of the military operations out there. And we like to think that we, too, are good neighbors to them.

With that I will close and let Mr. Edwards discuss the Department of the Interior aspect of this. This is just a brief summary, and my statement is on record, sir.

Thank you.

Mr. SEIBERLING. All right, Mr. Edwards?

Mr. EDWARDS. Thank you, Mr. Chairman. I would like to start by introducing Mr. Jim Gillett, who is accompanying me. Jim is the

Chief of the Division of Refuge Management in the Fish and Wildlife Service. He does not have a prepared statement, but he is available to answer questions on wildlife matters.

Mr. **Seiberling**. How does he spell his last name?

Mr. **Edwards**. G-i-l-l-e-t-t. No "e" on the end.

Mr. **Seiberling**. Thank you.

Mr. **Edwards**. I appreciate the opportunity to appear before this subcommittee this morning to discuss H.R. 4932. My prepared statement submitted for the record goes into detail on the provisions of this bill and the establishment of the Nellis Air Force Range and Desert National Wildlife Range. I will not repeat that information in the interest of time.

We strongly recommend enactment of this legislation. The Las Vegas Bombing and Gunnery Range, now called Nellis Air Force Range, was established by Executive Order 8578 on October 29, 1940. The draft bill covers all land now in the Nellis Range, adjacent support facilities at Indian Springs, and the areas proposed for addition to the range.

The legislation under consideration today was drafted by representatives of the Bureau of Land Management in close coordination with representatives of the Department of the Air Force and the other military departments. H.R. 4932 is only one of several military withdrawal bills that have been forwarded to the Congress for action. Because all of the proposed withdrawals are similar in nature, a decision was made early in the negotiation process that all of the military withdrawal bills forwarded to Congress would be similar in format and language.

Because many of the weapons used at Nellis have failed to detonate, significant portions of the range are heavily contaminated. Decontaminating the range, to the extent that public use or mineral exploration could be certified as safe, would be difficult to achieve at the present time because of the existing technology and the expense of available decontamination methods.

However, as I said earlier, the bill establishes a procedure regarding the administration of contaminated lands following termination of the withdrawal. Briefly, the procedure involves the retention by the Air Force of the contaminated lands that cannot be certified as safe but requires a review of that status every 5 years.

Approximately 826,000 acres of the 3,034,929 acres involved in the bill are within the Desert National Wildlife Range, which is administered by the U.S. Fish and Wildlife Service.

The Desert National Wildlife Range, which comprises 1,588,779 acres, was established by President Roosevelt by Executive Order 7373 on May 20, 1936, for the protection and preservation of desert bighorn sheep. Management for bighorn sheep primarily consists of spring and water catchment maintenance at higher elevations. The Fish and Wildlife Service and the State of Nevada also monitor sheep populations and conduct a hunt if population levels permit.

Air Force activities on the Desert National Wildlife Range are conducted subject to a memorandum of understanding [MOU] between the Department of the Air Force and the Department of the Interior that became effective on March 11, 1976. Although the Air Force's withdrawals for the Nellis Range have expired, continued military activities on the Desert National Wildlife Range have been permitted under the terms of the MOU.

The MOU authorizes the Air Force to use specified lands within, and the airspace above, the Desert National Wildlife Range for bombing, testing, gunnery and other training activities, but requires the Air Force to conduct its training activities in accordance with specified terms and conditions which are designed to protect the wildlife and environment within the Desert National Wildlife Range.

If H.R. 4932 is enacted, the Air Force and the Fish and Wildlife Service will continue to coordinate their activities under the present MOU or an amended version which is acceptable to both agencies. The term of the MOU will be concurrent with the terms of the Air Force withdrawal. We believe that the MOU adequately regulates military activities on the Desert National Wildlife Range and thereby protects its wildlife resources.

Management of natural resources on lands other than those within the Desert National Wildlife Range is also accomplished on a cooperative basis. For example, a five-party cooperative agreement regarding natural resource management at the Nellis Range was signed on January 27, 1977, by the Nevada Department of Fish and Game, the Bureau of Land Management, the Air Force, the Fish and Wildlife Service, and the Energy Research and Development Administration (now the Department of Energy). The agreement instituted a program to protect, develop, and manage the fish, wildlife, watershed, vegetative resources, and the wild and free-roaming horses and burros on the installation's lands.

Under the agreement, the five parties cooperate in conducting resource inventories of the area; developing resource management plans for fish, wildlife, and wild horses and burros; and carrying out management decisions.

Two portions of the proposed withdrawal that have not previously been withdrawn for the Department of Defense will be subject to the same cooperative management practices as are utilized on the previously withdrawn areas.

Enactment of H.R. 4932 will merely authorize the Air Force to continue its use of Nellis Air Force Range in the same manner as it has used the majority of the lands since World War II. Management of the natural resources will continue in the same manner as has been practiced in the past. This means that the primary jurisdiction of the lands in the Desert National Wildlife Range, including the protection of its fragile resources, will be with the Fish and Wildlife Service which will manage the lands under the provisions of the 1976 MOU and the National Wildlife Refuge System Administration Act of 1966.

Primary jurisdiction of all other lands and resources within the Nellis Air Force Range would continue to be with the Bureau of Land Management. Exclusive jurisdiction over the lands for military and national defense purposes would remain with the Air Force. This means that the Air Force alone has control over military operations on the Nellis Air Force Range.

We have identified some typographical errors in the bill. We will be pleased to work with the committee staff to eliminate the discrepancies.

This concludes my statement. I will be happy to respond to any questions on this bill.

Mr. **Seiberling**. We have a lot of questions. First of all, let me ask Mr. Rittenhouse a few questions that seem to be inherent in your statement. You say that the size of the original range has decreased from 3.6 million acres to its present configuration of 3.1. Most of that was simply the deletion of the atomic test site area, isn't that right?

Mr. **Rittenhouse**. I believe that part of it is accountable for that, yes, sir. What happened over the years, we had several different public land orders that were issued in various Executive orders that were issued during World War II, so we had a net fragmentation. I can check that if you will give me a second. I have a real estate man here.

Essentially that is correct, your statement, much of it went to the Department of Energy.

Mr. **Seiberling**. That is still usable? The airspace is still usable by the Air Force, is it not, for its purposes?

Mr. **Rittenhouse**. We steer around some of that. I will ask my operational people from Nellis.

Most of the Department of Energy area we steer around, also, sir.

Mr. **Seiberling**. Well, is it available or isn't it?

Mr. **Rittenhouse**. No, sir, not in terms of using the airspace.

Mr. **Seiberling**. Having flown over it myself in an Air Force plane——

Mr. **Rittenhouse**. You had special clearance, sir.

Mr. **Seiberling**. Why do you steer around it? I mean as long as no actual test is in progress?

Mr. **Rittenhouse**. We have deferred to the request of Energy on that over the years, and we continue to defer. We can get permission, as you state, but we have to have specific permission to do that. We don't do it on an everyday basis, sir; nor do we incidentally, the other areas in question here Congressman Reid was referring to. We do not operate over those, either.

Mr. **Seiberling**. Which other areas are you referring to?

Mr. **Rittenhouse**. We operate only in certain areas of the wildlife range at certain altitudes.

Mr. **Seiberling**. How about the wild horse range?

Mr. **Rittenhouse**. Yes, sir, we do.

Mr. **Seiberling**. You steer around it, or you operate?

Mr. **Rittenhouse**. We operate over it.

Mr. **Seiberling**. Well, that is very interesting. I would have thought that the entire area would have been available for aerial maneuvers.

Can you indicate on the map, then, the lands that are covered by this bill?

Mr. **Rittenhouse**. Yes, sir. The lands that are covered go from Tonapah Test Range on the north and west. Here is your wild horse range.

Mr. **Seiberling**. That is included?

Mr. **Rittenhouse**. It zig-zags down here, and there is a long area that is Department of Energy area in here. The Groom Mountain Range, 89,600 acres, that we were talking about is right here. It constitutes a high elevation as you can see in the green here. This is the Groom Range that is the kind of elevation that overlooks the areas that we are concerned about. This is the other portion of the existing range.

In other words, none of these areas here, or here, were changed at all. They are existing range. The area that—this little bridge area here for national security purposes that we have discussed this morning at some length is the only addition.

Mr. **Seiberling.** And your concern there is that elevation would enable someone to observe activities?

Mr. **Rittenhouse.** Two things. It is not only the elevation, it is the proximity as well. So it couldn't just be—for example, one suggestion was let us withdraw the high mountain and leave the rest of it alone. But, unfortunately, it is the proximity as well as the elevation.

Mr. **Seiberling.** Now, the eastern half of the wildlife refuge is not included in the range?

Mr. **Rittenhouse.** No, sir. That goes out, I think, right out here. It is not included. This whole area here—and, Frank, you can correct me. I know you can't see it from there. I have to have Interior help me with this. This right here is not included.

Mr. **Seiberling.** Why is that not included?

Mr. **Rittenhouse.** In the range?

Mr. **Seiberling.** Yes.

Mr. **Rittenhouse.** In our range, because we don't need it, sir.

Mr. **Seiberling.** All right. Now, you don't need to answer my questions in this hearing if you feel they involve national security or classified information. But isn't it fair to assume that the Soviets probably have a satellite right above there that can see what is going on anyway?

Mr. **Rittenhouse.** That would be a fair assumption, sir, but I can't go on any further. I could give you a response, but I can't.

Mr. **Seiberling.** I assume maybe there are things you can see when you are sitting on a mountain you can't see with a satellite. But anyway, you want to have that mountain area withdrawn?

Mr. **Rittenhouse.** Yes, sir.

Mr. **Seiberling.** Withdrawn for security reasons?

Mr. **Rittenhouse.** Yes, sir.

Mr. **Seiberling.** Well, if necessary, we could have a classified, closed briefing, I suppose.

Mr. **Rittenhouse.** Yes, sir, that is possible

Mr. **Seiberling.** Is it true that the Air Force has already acted to restrict public use of the Groom Range area?

Mr. **Rittenhouse.** I will get back so the stenographer can get me.

Yes, sir, it is true. We have asserted the right to control the surface access and egress to the extent of requesting people not to go in and out. We have people posted on the roads and at certain times we do not. We ask their cooperation.

Mr. **Seiberling.** Under what legal authority was that done, that right asserted?

Mr. **Rittenhouse.** As far as I know, sir, there is none; except the decisions were made at a much, much higher level than mine that that be done.

Mr. **Seiberling**. There is no higher level than the laws of the United States.

Mr. **Rittenhouse**. No, sir. I understand, and we can describe that further if you would like, sir.

Mr. **Seiberling**. I would like.

Mr. **Rittenhouse**. In closed briefing.

Mr. **Seiberling**. What has to be—why would that have to be in a closed briefing?

Mr. **Rittenhouse**. I can't discuss it, sir.

Mr. **Seiberling**. Shades of Watergate. All I am asking you is under what legal authority this was done. I am not asking you the technical reasons. That certainly is not classified.

Mr. **Rittenhouse**. Excuse me just a second, and I will consult with my people back here. I have a panel of people who have far more specific knowledge than I do. May I take a second?

Mr. **Seiberling**. Yes.

Mr. **Rittenhouse**. My attorney tells me the true answer would be, and I think we probably were talking crosswise, I was not interpreting your question correctly, we were—as I stated earlier, originally we had no legal authority but we asserted the right to request people to not enter that area.

Mr. **Seiberling**. Now?

Mr. **Rittenhouse**. We legally did not have authority.

Mr. **Seiberling**. That is a contradiction in terms. If you don't have legal authority, then you have no right.

Mr. **Rittenhouse**. To request them, sir?

Mr. **Seiberling**. Well, you have the privilege of requesting them or—a right implies a legal——

Mr. **Rittenhouse**. No, sir. We requested that they not enter.

Mr. **Seiberling**. I just want to make sure we get the terminology straight. So somebody higher up decided they wanted to close that area off and you were going to ask people not to come there?

Mr. **Rittenhouse**. Yes, sir. From a standpoint not only of national security but personal safety.

Mr. **Seiberling**. Well, what personal safety? I thought you weren't going to use that for military activities as such.

Mr. **Rittenhouse**. No, sir, but the proximity again would be something that we prefer not to have people——

Mr. **Seiberling**. On that subject, we have received a letter which I will offer for the record, without objection, from a Nevada organization called Citizen Alert, concerning this bill. It particularly deals with the Groom Range area and the Sheahan mine, and it encloses some pictures of a $100,000 mill that was built in the 1950's by Mr. Sheahan, or by the owners at that time. And it states that this mill, it shows pictures of it, was firebombed and destroyed while Mr. Sheahan and his wife were at the mine. It doesn't say when this happened. Do you know about that?

[**Editor's note**.—The letter from Citizen Alert referred to by Chairman Seiberling may be found in the subcommittee's files of today's hearing record.]

Mr. **Rittenhouse**. No, sir, but I can get someone here who does. Hold on.

No, sir. I guess the best witness to that would be Mr. Sheahan. He did make that statement on one of the television news shows.

Mr. SEIBERLING. Well, it says photographs showing the mill before and after attack are attached. Fighter planes have strafed the property when family members, including children, were present. You don't know anything about that?

Mr. RITTENHOUSE. To our knowledge, no, sir.

Mr. SEIBERLING. After it was made, after he made those statements publicly, did the Air Force take no action to investigate it.

Mr. RITTENHOUSE. Those, the time, the sequence of that was many years ago, and whatever happened, there is no record that I have to either deny or substantiate his charges. Mr. Sheahan and we have had discussions since then.

Mr. SEIBERLING. I would like to ask the clerk to show you those pictures. Something happened to that mill.

Mr. RITTENHOUSE. Yes, sir.

Mr. SEIBERLING. Are you saying the Air Force never investigated it? I find that unbelievable.

Mr. RITTENHOUSE. We will be glad to research our—according to the caption here, this happened in the early 1950's.

Mr. SEIBERLING. That is when the mill was built.

Mr. RITTENHOUSE. It hasn't happened in the 14 years that I have been here in Washington, sir.

Mr. SEIBERLING. Well, I would be interested to know what happened and whether it was investigated, whether the Sheahans ever asserted the claim for reparations.

Mr. RITTENHOUSE. We will submit all that for the record.

Mr. SEIBERLING. All right. That would be very helpful.

One gets the impression that somebody didn't worry about the boundaries of the test range and thought there was an old mill, looks like a good target and whammo. If that is true——

Mr. RITTENHOUSE. Yes, sir. We will submit something to you.

[EDITOR'S NOTE.—In response to Chairman Seiberling's inquiries, the Air Force subsequently furnished the following information:]

NELLIS AFR—CLAIM FOR REPARATION

It was alleged in testimony before the subcommittee, and in a letter submitted in evidence, that one or more Air Force planes in 1954 bombed, fired on, or otherwise caused the destruction of a mining mill owned by the Sheahan family at the Groom Mine site. Air Force investigation of these old charges has revealed that the Sheahan family made allegations to the same effect in 1955 in a claim filed in the United States Claims Court (No. 100-55, filed May 10, 1955; amended claim filed August 22, 1956); and in a separate suit filed in 1956 in the United States District Court for the District of Nevada (Civ. No 175, filed June 22, 1956; amended complaint filed October 3, 1957). In both cases, the Air Force in its answers denied the allegations. The records from the two Courts reveal that in both cases the Sheahans failed to pursue their legal claims, and that ultimately the cases were dismissed by the Courts involved due to non-prosecution of the cases. In the Court of Claims action, the Sheahans wrote to the U.S. Attorney General requesting a dismissal without prejudice, which was ultimately ordered by the Court. In the Nevada District Court action, the Sheahans dismissed their counsel and then failed to respond to Court notices requiring them to retain new counsel and otherwise meet Court deadlines for proceeding with the case. The Sheahans failed to respond to these notices, and that case was generally dismissed by the Court on July 2, 1959. The Sheahans did not appeal from these orders or otherwise reinstitute legal claims within the period of the statute of limitations. Copies of the available Court records and correspondence, and the meager Air Force records on these very old claims, are being retained in the Office of the General Counsel, Secretary of the Air Force, and can be made available to the subcommittee if requested.

Mr. **Seiberling.** In any event, that certainly would tend to prove your point that it isn't a very safe place to be.

Mr. **Rittenhouse.** That wasn't what I intended, sir, but that is all right.

Mr. **Seiberling.** Well, it led right into it.

Now you say that the draft EIS, I gather from your statement that the draft EIS, on which there was a hearing on September 18, 1979, in Las Vegas, covered 2,944,929 acres; is that right?

Mr. **Rittenhouse.** That is right.

Mr. **Seiberling.** And that it did not cover the Groom Mountain Range, specifically, is that right?

Mr. **Rittenhouse.** That is correct, sir.

Mr. **Seiberling.** All right. Now, you also say that the general area was fully evaluated as part of the EIS process and no use of this area will have any different environmental impacts than those described in the EIS.

You heard testimony by the Governor and the delegation about the importance of this area for hunting purposes and game. Did the EIS cover the hunting impact of withdrawal of the Groom Mountain area?

Mr. **Rittenhouse.** Not specifically in the Groom Mountain area, no.

Mr. **Seiberling.** Then that is one impact that is not described in the EIS?

Mr. **Rittenhouse.** I would like to let the people in Fish and Wildlife give me input on that.

Mr. **Seiberling.** Mr. Gillett, what do you have to say?

Mr. **Gillett.** Clearly if the hunting access was going to be restricted and certain waterfowl or wildlife habitat developments are prohibited it would have an impact on the public.

Mr. **Seiberling.** That is one impact.

Mr. **Gillett.** Yes, sir.

Mr. **Seiberling.** Of course there is the impact on the mine owners. Was that covered in the EIS?

Mr. **Rittenhouse.** The impact on the mine owners in the Groom Range, no, sir.

Mr. **Seiberling.** That is two impacts that weren't covered. And what does the BLM say about this? It is BLM land.

Mr. **Edwards.** Mr. Chairman, the area was covered in general context in the EIS. As I indicated in my testimony, the management and use of the additional area would not change. If the access were allowed at various times for management of wildlife on the area, it would not have any impact that differs from the management of the area now. And the decision was made in the Department——

Mr. **Seiberling.** Say that again. That area is not open to hunting now, not open to the mining operation?

Mr. **Edwards.** Yes, sir, it is. But as I understand it, the Air Force has, or is working out situations with the people there to permit certain activities at certain times.

Mr. **Seiberling.** That is still an impact. What about the hunting? Are they going to allow hunting at certain times? Mr. Rittenhouse said that hunting is—that it would be closed for safety reasons.

Mr. **Edwards**. Well, that would be subject to agreement between the Air Force and BLM in the management of that area.

Mr. **Rittenhouse**. Mr. Chairman, if I might add a little bit to that. When we were out, if you will recall, Mr. Yoder, who was the range manager for the southern part of this withdrawal that we currently have, was talking about how they culled their bighorn sheep and that they have controlled hunts in there during periods of time, and we suspend our operation at their request to allow them to conduct the culling hunts. I would suspect the same kind of thing could be arranged here.

Mr. **Seiberling**. Well, maybe it could. But all of these things are supposed to be covered in an EIS. When we were out there in November 1981, and we had a full briefing by the Air Force, at Nellis Air Force Base, and we observed an actual operation, training operation, was it November 1980 or 1981?

Mr. **Rittenhouse**. I think it was 1982, sir.

Mr. **Seiberling**. Yes, I guess it was. Nothing was mentioned about this at that time, was there? There was some discussion about the need for additional space, but I don't recall the Groom Mountain specifically.

Mr. **Rittenhouse**. It is my recollection that by that time it had been added, sir. I can check my records here.

Mr. **Seiberling**. Maybe it had.

Mr. **Edwards**. There was a letter from the Air Force requesting that—I believe the date of that is November 1981, so it would have been prior to your visit there.

Mr. **Seiberling**. What I am a little puzzled by, what I am puzzled about, if that is the case, and we have had 3 years now, why didn't you go through the normal procedures during that time? Maybe there was a need for an emergency action, but you have had 3 years and no EIS.

Mr. **Rittenhouse**. Well, the decision was made, sir, as I said in my opening summary, after consultation with the delegation from the State, the State house itself, with the people over in the Department of the Interior and ourselves, that the percentage of the whole withdrawn and the net impact was such that it would be counterproductive to engage in a full-blown EIS process for that. So we didn't do it. We may have made a decision that was erroneous in retrospect, and certainly——

Mr. **Seiberling**. Counterproductive in what sense?

Mr. **Rittenhouse**. In the sense of delaying what we thought was going to be legislation that would have been passed in 1982.

Mr. **Seiberling**. But never introduced.

Mr. **Rittenhouse**. Yes, sir, it was brought over from OMB but never got lodged, for reasons I don't know.

Mr. **Seiberling**. I don't think anyone ever introduced it in the House. I note that this bill before us was introduced by Chairman Price.

Mr. **Rittenhouse**. Yes, sir.

Mr. **Seiberling**. Did you ever ask Chairman Price to introduce a bill at that time?

Mr. **Rittenhouse**. The last time, we lost the session, for reasons unknown to me; it came, maybe Mr. Edwards could shed some light on that. But after the OMB process, it came over as I recall in the summer, like July, and it was toward the end of the session, very much the same as it is now, and I guess the docket was just too filled. As a consequence, it lapsed over into the next session, and as a consequence had to be re-reviewed by OMB and go out to all of the various Federal agencies for comments.

Mr. Seiberling. That is all inside the executive branch——

Mr. Rittenhouse. Yes, sir.

Mr. Seiberling. But I still don't understand why a normal EIS was not prepared and why no bill was introduced; and if not in 1982, then early in 1983. You had a new Congress coming in.

Mr. Rittenhouse. Well, our position on that was after the consultations with the various people we did not simply believe that an EIS was required.

Mr. Seiberling. Let me read to you the testimony of Mrs. Vucanovich, who said—maybe it is the Governor's testimony, then.

Mrs. Vucanovich, do you feel that you were consulted?

Mrs. Vucanovich. No, I wasn't consulted until I read about it in the newspaper.

Mr. Rittenhouse. May I state at that time Ms. Vucanovich was not on the delegation.

Mrs. Vucanovich. 1981, that is true.

Mr. Seiberling. Were you consulted when you became a Member of the delegation?

Mrs. Vucanovich. No.

Mr. Seiberling. You don't have to answer that if you don't want to.

Mrs. Vucanovich. That is why I am here.

Mr. Seiberling. I just note that one of the delegation or the Governor testified that they were never consulted at all.

Mr. Rittenhouse. Sir, I can submit for the record a memorandum that indicates that the State house was briefed and told fully of this as was the congressional delegation. It was Congressman Santini at that time, and also the two Senators.

[Editor's note.—In response to Chairman Seiberling's request, the Air Force subsequently transmitted the following information:]

Nellis AFR—Congressional Briefing—89,600-Acre Addition

Briefing to inform the Congressional delegation and the Governor was conducted by the Bureau of Land Management and the Department of the Air Force in February and March of 1982.

The briefing stressed the requirement for the additional 89,600 acres for national security purposes. The decision to amend the Nellis Air Force Range withdrawal application was made after an evaluation of several options.

The decision to include the 89,600 acres in the withdrawal and the Air Force's desire to maintain the status quo with respect to individuals with real property interests was supported by the Congressional delegation and the Governor.

The following individuals were briefed: Senator Laxalt on February 8, 1982; Senator Cannon of February 22, 1982; Representative Santini on March 10, 1982; Governor List on February 23, 1982.

Mr. Seiberling. I see Mr. Reid said that they were briefed concerning the proposed action in 1982, but somebody said they were never consulted before it was done. All right.

Mr. Rittenhouse. I believe that may have been the Governor.

Mr. Seiberling. In any event, this certainly was not a very well-handled action, it seems to me, and the complaint that no EIS was properly made is a valid complaint. There apparently was no legal authority and it strikes me as a rather sorry performance on the part of the administration.

At this time I recognize our colleague, Mrs. Vucanovich.

Mrs. VUCANOVICH. Thank you very much, Mr. Chairman.

Before I question our witness I would like to enter for the record, if I may, a letter that Wayne Hage, who is a rancher and cattleman in the southern part of south central Nevada, had written to you, and it was saying that he and some of the ranchers could suggest some language to the bill that would provide for the protection of the rights, the grazing rights that people have on the lands.

May I enter this in the record?

Mr. SEIBERLING. Surely. Without objection.

[EDITOR'S NOTE.—The letter referred to by Mrs. Vucanovich from Wayne Hage follows:]

August 1, 1984

Honorable John Sieberling
Chairman
Subcommittee on Public Lands and National Parks
House on Interior and Insular Affairs

RE: H.R. 4932

Dear Chairman Sieberling:

Residents of that portion of south central Nevada adjacent to those lands proposed for withdrawal under the above referenced bill are concerned about language on page 22 lines 1 through 14.

Lines 1 through 4 refer to multiple uses which may be included on those lands. Line 5 specifies grazing as one of those uses that may be included. We are concerned that grazing as an established historical use is apparently not protected by this bill but referred to as a use that may be allowed.

Lines 12 through 14 says that "All such uses (this includes grazing).... shall be secondary to the military use of the lands...."

While supporters of this bill in its present form have repeatedly stated that it is not their intent to impair or eliminate grazing rights on these lands the above referenced language seems to leave open the very real possibility of impairment or elimination of grazing in the future.

H.R. 4932 should contain language that would provide for the protection of those rights. In this regard we support the changes proposed by Mrs. Vucanovich.

In the absence of language protecting grazing rights in the proposed withdrawal area we ask for language that would provide for monetary compensation for those rights as provided for in the Code of Federal Regulations number Twenty-Five.

Sincerely,

Wayne Hage

Mrs. **Vucanovich.** There are quite a few questions that I have. I have talked, as you probably all know, with both BLM and most of the people here. I have just finished reading or listening to the testimony of Mr. Edwards, and on page 9 I am really very surprised to see a reference to two portions of the proposed withdrawal area which have not previously been withdrawn. I am also surprised to see that there is a reference to one area comprising 2,280 acres, which is adjacent to the most easterly boundary of the northern portion of the Nellis Range. It is talking about access to the southern portion of the Nellis Range. This is the first time I have even seen such a reference. I don't even see the area on the map. Is there some 2,280 acres that we aren't aware of that is going to be part of the withdrawal?

Mr. **Edwards.** It is my understanding there are 2,880 acres along the south boundary of what would be the southeast portion of the range.

Mrs. **Vucanovich.** This is the first time I have heard of this. We have been talking about the Groom Mountain area. I am very surprised to hear about this.

Would you point it out to us on the map, or have somebody point it out?

Mr. **Rittenhouse.** It is right down about midway, in this area here.

Mr. **Seiberling.** Can you move a little bit?

Mr. **Rittenhouse.** Sure. Right in here. What happened out at the extremity, there are 2,880 acres added and 1,600 acres that were deleted by the Air Force; in other words, at BLM's request. What BLM wanted to do was to straighten out the boundaries, so we deleted 1,600 acres and they added 2,800 acres.

Mrs. **Vucanovich.** Where were the 1,600 acres deleted from?

Mr. **Rittenhouse.** Unfortunately, I have a small map here, if I may.

Mrs. **Vucanovich.** What is the purpose of this new area that we are talking about? I see that it is just access.

Mr. **Edwards.** I understand that it was included in the withdrawal application and was included in the EIS, but it has not previously been withdrawn. In other words, that was an area that was included under the new withdrawal. So it has gone through the process.

Mrs. **Vucanovich.** The EIS process?

Mr. **Edwards.** Yes. It has gone through the process of public review and EIS.

Mrs. **Vucanovich.** That isn't made very clear in your statement. I wonder if we should make it clear and point that out specifically, because this is the first time I have heard of that.

Mr. **Edwards.** Yes, I would be glad to do that.

Mrs. **Vucanovich.** Fine.

Mr. **Edwards.** I want it to be clearly understood.

Mrs. **Vucanovich.** Yes, that really sort of surprised me when I read your statement.

[**Editor's note.**—In response to Mrs. Vucanovich's inquiry, the Department subsequently furnished the following clarifying information:]

An 81,480-acre portion of Nellis Air Force Range, Nevada, was withdrawn and reserved for use of Air Force by the Act of September 26, 1961. That withdrawal expired on September 25, 1976. On March 26, 1976, the U.S. Army Corps of Engineers, acting on behalf of the Air Force, filed an application for the withdrawal of 82,760 acres of land at Nellis, including 79,880 acres of the 81,480 acres that had been withdrawn by the 1961 Act. The difference in acreage was the result of a boundary adjustment that had been negotiated between the Air Force and the Fish and Wildlife Service, in which the Air Force relinquished 1,600 acres of land within the Desert National Wildlife Range, and the Fish and Wildlife Service agreed to concur in the proposed withdrawal of 2,880 acres within the Desert National Wildlife Range. (81,480 acres minus 1,600 acres plus 2,880 acres for a total of 82,760 acres).

A notice of the filing of the March 26, 1976, application for withdrawal was published in the *Federal Register* on May 6, 1976 (copy attached). The notice specifically indicated that the additional 2,880 acres of land within the Desert National Wildlife Range were included in the application for withdrawal.

Because it was included in the 1976 application for withdrawal, the 2,880-acre area was considered in all environmental analyses accomplished for the proposed withdrawal.

[From the Federal Register, Vol. 41, No. 89, Thursday, May 6, 1976]

[Nev–036338]

NEVADA

Request for Renewal, in Part, of Withdrawn Lands and Request for Withdrawal of Additional Lands

April 28, 1976.

The Corps of Engineers on behalf of the Department of the Air Force has filed the above application for renewal of the withdrawal authorized by Public Law 87–310, approved September 26, 1961, as to the lands described below. The lands will continue to be segregated from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and disposals of materials under the Act of July 31, 1947, as amended (30 U.S.C. 601, 602).

MOUNT DIABLO MERIDIAN, NEVADA

T. 15 S., R. 57 E., (Unsurveyed)
  Secs. 1–36, incl.;
T. 16 S., R. 57 E., (Unsurveyed)
  Secs. 1–6, incl.;
  Sec. 7, NE¼;
  Secs. 8–16, incl.;
  Sec. 17, NE¼;
  Sec. 20, SE¼SW¼, S½SE¼;
  Sec. 21, NE¼, SW¼SW¼;
  Secs. 22–26, incl.;
  Sec. 27, NE¼;
  Sec. 28, NW¼NW¼;
  Sec. 29, N½NE¼, NE¼NW¼;
  Sec. 35, NE¼;
  Sec. 36.
T. 15 S., R. 58 E., (Unsurveyed)
  Secs. 1–36, incl.;
T. 16 S., R. 58 E., (Unsurveyed)
  Secs. 1–7, incl.;
  Sec. 8, NW¼, S½;
  Sec. 16, W½;
  Secs. 17–21, incl.;
  Sec. 22, SW¼;
  Secs. 27–34, incl.;
T. 17 S., R. 58 E.,
  Secs. 1–4, incl.;
  Sec. 5, NE¼;
  Sec. 9, NE¼;
  Sec. 10, N½, N½SW¼, SE¼SW¼, SE¼;
  Secs. 11 and 12;
  Sec. 13, NW¼;
  Sec. 14, N½, NE¼SW¼, SE¼;
  Sec. 15, NE¼NE¼.

The area described aggregates about 79,800 acres, of which approximately 63,274 acres are within the Desert National Wildlife Range.

In addition, the applicant requested the withdrawal of the following land from all forms of appropriation under the public land laws, including the mining and mineral leasing laws and disposals of materials under the Act of July 31, 1947.

MOUNT DIABLO MERIDIAN, NEVADA

T. 16 S., R. 58 E., (Unsurveyed)
  Sec. 8, NE¼;
  Secs. 9, 10 and 15;
  Sec. 16, E½;
  Sec. 22, N½, SE¼.

This area contains approximately 2,880 acres of land within the Desert National Wildlife Range.

The applicant desires the continued use of the lands now withdrawn and the added lands to support the Tactical Fighter Weapon Center's Operational Test and Evaluation Mission at Nellis Air Force Base.

On or before June 7, 1976 all persons who wish to submit comments, suggestions, or objections in connection with the proposed actions may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 300 Booth Street, Reno, Nevada 89509.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources.

The authorized officer will also prepare a report for consideration by the Secretary of the Interior who will recommend to the Congress whether the lands should be withdrawn as requested.

If circumstances warrant, a public hearing will be held at a convenient time and place which will be announced.

W. J. MALENCIK,
Chief,
Division of Technical Services.

[FR Doc.76–13198 Filed 5–5–76;8:45 am]

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Mrs. **Vucanovich**. There have been a lot of concerns about some of the provisions in the bill that set forth the future management of the withdrawn area. And I am not going to try to pinpoint which specific areas they are, but it is a concern that it would make the resource management requirement secondary to the Air Force needs.

Now, will this legislation change the management of the lands within the withdrawal area?

Mr. **Edwards**. No. We believe that it will give us more flexibility in that regard. In other words, the resources will be the management responsibility of BLM. Of course, we would have to have a concurrence of the Air Force. But the Air Force would not be primarily dealing with anything except military matters, and so the Bureau would have control over the resource management.

Mrs. **Vucanovich**. And is this a change in the use? Who makes these decisions on the resource management?

Mr. **Edwards**. As I understand it, yes, it gives the Bureau more responsibility and more flexibility in the management than has been the case in the past. Management is subject to, as I indicated before, a five-way agreement among the various agencies that are involved in that area.

Mrs. **Vucanovich**. I am also interested in knowing, either Mr. Rittenhouse or Mr. Edwards, what is your understanding of the effect of this legislation on unpatented mining claims? You know there are many of those in that area.

Mr. **Edwards**. Well, of course it would have to be subject to valid existing rights. If those unpatented claims are valid rights under the 1872 mining laws, they would have to be honored. Now, it might be a matter that the Air Force would decide they want to purchase or negotiate a purchase for those rights from the individuals, but that would be a matter between the Air Force and the individuals. Their rights are preserved.

Mrs. **Vucanovich**. Their rights are preserved.

Mr. **Edwards**. Yes.

Mrs. **Vucanovich**. I know that you had been working with the Sheahans on their mining rights. Perhaps, Mr. Rittenhouse, maybe you could review quickly the actions that the Air Force has taken to ensure that these people's concerns are being addressed?

Mr. **Rittenhouse**. Well, Congresswoman, we have had over the years a series of public pronouncements that we are on record we would do whatever the owners of those rights desired. We would either purchase an interim right from them at fair market value for a period of years and they would retain the title to it or, in the alternative, we would work out ways with them to get into the land. And in Mr. Sheahan's case, or in the grazing case, the Medlin case, in both instances they have had access; there has been no change to that. We are already in those two specific instances we have a letter to both of them indicating that we will allow them to continue their grazing rights in the case of Mr. Medlin, and in the case of the Sheahans to purchase. Because they made the statement, the Sheahan family made the statement on national television they would like the opportunity to buy out. But I think they said something about who would buy me, and we reiterated that Mr. Sheahan had already been told, if they really wanted to, for a

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term in years, have a subordination agreement, is what it amounts to. We would pay them fair market value for that. We would be glad to enter into negotiations. From what I hear this morning from Congressman Reid, apparently Sheahan's lawyer has indicated he favors that process and so does Mr. Sheahan. So we sent a letter to them that was hand-delivered on the 26th of July that I think——

Mrs. VUCANOVICH. I have a copy of that. I want to commend everyone in the Air Force who has tried to work out a fair settlement and have met with all the people who are affected. I think that is important. I appreciate that. But one of the things we have talked about all during this whole hearing is that we certainly don't want to put this up as a sample of an attitude that people have about our State. We are concerned. We have so much land we don't have much control over. I would like to know if you have any idea what the effect of the withdrawal on Lincoln County's PILT payments are. Lincoln County was not notified, none of the commissioners, until they read about it in the newspaper. I think Colonel Smith has met with these commissioners, but what would be the effect.

Mr. EDWARDS. The PILT payments will not be affected by this proposed withdrawal. Lincoln County receives $186,000 a year, and the formula on which that is calculated is $50 per capita; in other words, population of the county. And that would not be changed by this legislation.

Mrs. VUCANOVICH. Thank you.

Mr. Chairman, I have no further questions. We have quite a few other witnesses to hear. And thank you very much.

Mr. SEIBERLING. Thank you. I am sorry to say I have a few additional questions.

Mr. Rittenhouse, you said that closure of the Groom Mountain area was decided at a high level. Precisely what level was it decided to take this action without legal authority?

Mr. RITTENHOUSE. Let me check.

It was at or above the Secretary of Air Force level, sir.

Mr. SEIBERLING. Who is above the Secretary of the Air Force?

Mr. RITTENHOUSE. The Secretary of Defense and the President. I can't say anything more specific than that. I will be glad to supply that information.

Mr. SEIBERLING. We would like to have that for the record. I think it is important to know how these things are being handled for the future. That is part of this committee's oversight jurisdiction, and it seems to me it has been handled in a rather cavalier manner.

Mr. RITTENHOUSE. Yes, sir.

[EDITOR'S NOTE.—In response to Chairman Seiberling's inquiry, the Air Force subsequently transmitted the following information:]

NELLIS AFR—CONTROLLED PUBLIC ACCESS

The decision to control access was made at the local level after consulation with local Bureau of Land Management officials and after Headquarters, Air Force conferred with the Air Force Secretariat. After the controls were implemented, briefings were conducted for the appropriate personnel within the Offices of the Secretary of the Air Force and the Secretary of Defense. Additionally, members of the National Security Council were also briefed.

Mr. SEIBERLING. Certainly, when we were out there, in 1982, in the fall of 1982 after the congressional session, I do recall the discussion of the need for additional land. I don't recall anyone at that time bringing up the question of legislation, specifically, although there may have been a general reference to the need for legislation. But it seems to me that that has been very badly handled.

Now, the bill provides that it is not to change the applicability to the desert refuge of the National Wildlife System Administration Act or relevant Executive orders, public land orders or memoranda except to the extent rendered necessary by national defense.

Is the applicability of the relevant laws and orders to the Desert Wildlife Refuge different than would be the case if the Nellis Range were not in existence? Can anybody answer that?

Mr. GILLETT. Well, as you are well aware, Mr. Chairman, a portion at least of the Nellis Air Force Range has been subject to legislation previously, and it follows in much the same type of language; at least the context is the same. The Refuge Administration Act of 1966 brings into play the standard of compatibility with refuge purposes or major purposes for which areas are established. As you are well aware, both the wildlife range, which goes back to 1936, and the earliest military withdrawals, which go back to the early 1940's, were not subjected to a compatibility determination. That standard was imposed at a somewhat later period of time.

I would not pretend to say that the Air Force activities that are currently being conducted on the wildlife range would be determined to be compatible. We have not made that cut at this point in time.

Clearly, it is hard to understand how air-to-ground activities might meet a compatibility standard. Nonetheless, there are some mutual benefits inherent in having the military there.

Mr. SEIBERLING. I just asked you, the only question I asked was are the laws and orders applicable to the Desert National Wildlife Range different from what would be the case if the range were not in existence? Yes or no.

Mr. GILLETT. No, I think they would be the same.

Mr. SEIBERLING. All right. Now, is there any bombing in the portion that is in the Air Force range?

Mr. GILLETT. There are some air-to-ground areas that have been identified within the wildlife range. Those are located——

Mr. SEIBERLING. That certainly doesn't normally happen in a wildlife refuge.

Mr. GILLETT. That is correct, although this is not a unique situation.

Mr. SEIBERLING. You mean there are other wildlife refuges where there are bombing practices?

Mr. GILLETT. Yes, sir.

Mr. SEIBERLING. Where?

Mr. GILLETT. One off the coast of Oregon called Seal Island, which, as I understand it, is used by the Navy. There are areas in the——

Mr. SEIBERLING. How do the seals manage?

Mr. Gillett. They apparently manage all right. Apparently there is a time-space allocation, so the wildlife resources aren't that directly impacted.

There used to be some naval activities out in the Hawaiian Islands refuge. I am not certain as to the status of that particular range. But it is not unique on refuges.

Mr. Rittenhouse. Mr. Chairman, if I may interject. The EIS discussed this. What happens is that the impact areas are below the habitat of the bighorn sheep. They are below, I think it is about 3,000 feet in altitude. They don't come down that low. As a consequence, it was worked out mutually between BLM and DOI and the Air Force that certain areas could be used because there really isn't that area.

Mr. Seiberling. No wildlife below 3,000 feet?

Mr. Rittenhouse. I am not saying that. It is a sheep refuge.

Mr. Gillett. It was established primarily for the desert bighorn sheep back in 1936 and, as Mr. Rittenhouse pointed out, they rarely get into the dry desert lake valleys because of the lack of water and the lack of vegetation. There is every indication that the bighorn sheep population in that particular part of the wildlife range is doing at least as well as that part of the population that lies outside of the gunnery range. So insofar as the bighorn sheep go, we can detect no impact of having certain portions of that area used for air-to-ground activities.

Mr. Seiberling. If the bill were enacted, who would decide what changes in the management of the wildlife refuge might be rendered necessary by national defense? Would that be the Secretary of the Air Force, Secretary of Defense, or who?

Mr. Gillett. As you are well aware, we have a memorandum of understanding between the Air Force and the Fish and Wildlife Service in regards to management of that portion of the wildlife range that is encompassed by the gunnery range. It has been a very effective working relationship. We have a refuge manager located at Las Vegas who has a very close working relationship with the works at Nellis Air Force Base.

To the extent we can, obviously we try to work things out at the local level. We feel those folks are best able to handle the situation. They are best acquainted with the natural resources of the area and the military mission. And it has worked out over time very satisfactorily both from a wildlife standpoint and I have to assume from the military standpoint.

Mr. Seiberling. Who would make the final decisions as to what was rendered necessary by national defense?

Mr. Rittenhouse. It is a consultative process between the Secretary of the Air Force and the Secretary of the Interior or their designees, sir.

As you remember, Mr. Yoder's testimony out there in 1982, as to the efficiency of the operations between the Air Force and Fish and Wildlife, I think that is the best testimony to the operation of that area. But it would be a consultative process.

Mr. Seiberling. Suppose there was a disagreement, who would have the final say?

Mr. Rittenhouse. I believe the Secretary of the Air Force would hold some degree of leverage there, sir.

Mr. **Seiberling**. So if there is a difference, the Secretary of Air Force would make that decision?

Mr. **Rittenhouse**. As I recall the legislation, that is the way the legislation indicates that.

Mr. **Seiberling**. It isn't clear, that is why I wanted to know. Well, I suppose in the end the President would be the final arbiter.

Mr. **Rittenhouse**. Yes, sir.

Mr. **Seiberling**. Section 2(a) of the bill provides the Secretary of the Air Force shall have exclusive jurisdiction over the management of the lands for military purpose and may authorize use by other military departments and agencies of the Department of Defense, Department of Energy, as appropriate.

Now that is a little different from who decides what is rendered necessary by national defense, isn't it? Because the rendered necessary by national defense involves making a decision between military and nonmilitary activities, which I would think is not covered by section 2(a), is that right?

Mr. **Edwards**. Well, it is my understanding that the Secretary of the Air Force would have the exclusive jurisdiction for all military operations; those by the Air Force as well as those by other military branches. And again it would be a consultative process on the other, but in fact, the Air Force would have the final say subject to the approval of the two Secretaries and the President.

Mr. **Seiberling**. My question is, Do the words "for military purposes" imply that if there is a question about whether something is rendered necessary for purposes of section 1(a), the Secretary of Defense has that final say-so or the Secretary of the Air Force?

Mr. **Edwards**. Yes; it could be read that way. But again, as we have indicated, the full intent is to have the consultative process.

Mr. **Seiberling**. I think we had better make that clear somehow.

Mr. **Rittenhouse**. If you look at 2(b), I think maybe the sequence may be Secretary of Interior shall manage withdrawn lands and their resources. That is where the memorandum of agreement comes in to play. Because in (c) it indicates that there shall be a memorandum of understanding to implement the plan, and that is exactly what we do have now, in effect.

Mr. **Edwards**. The bill does require that a management plan be developed within 1 year and, of course, that plan could lay out clearly how disputes or disagreements will finally be resolved.

Mr. **Seiberling**. So there has to be some procedure set up to consult between the Secretary of the Interior and Secretary of Defense basically. All right, section 4(b)(1) provides that if the Secretary of the Air Force concludes that after 25 years some or all of the lands covered by the bill are still needed by the Air Force, he can ask the Secretary of Interior to use his discretionary authority, so as to extend the withdrawal and that the mere application shall have the effect of maintaining the withdrawal until the Secretary of Interior, or "where required" the Congress, act on the application.

As you read the Engle Act, does the Secretary of Interior have discretionary authority to extend military withdrawal of more than 5,000 acres?

Mr. **Edwards**. No, sir; I don't read it that way. But the Federal Land Policy and Management Act does provide for temporary segregation for 2 years upon publication in the Federal Register of the filing of an application.

Mr. **Seiberling**. That would be all that he could do.

Mr. **Edwards**. Yes, sir; and of course then that would be subject to action by the Congress.

Mr. **Seiberling**. Can he do that for military purposes, or is that exclusively covered by the Engle Act?

Mr. **Edwards**. No, sir; it does apply to all applications for withdrawals but it does have a limit of 2 years. Of course the Engle Act does require that the final withdrawal be made by Congress.

Mr. **Seiberling**. All right. Well, that is another area I think we are going to have to explore a little bit.

Mr. **Edwards**. If I might interrupt, there does need to be a provision where segregations can be made and temporary or interim controls of land can be allowed until such time as recommendations can be made to Congress for final action. So it does not close the options for Congress.

Mr. **Seiberling**. We would like to have a solicitor's opinion, if you have one or can get one, as to the applicability of the Federal Land Policy and Management Act to the withdrawal of land for military purposes. Is there any solicitor's review of that by the Solicitor of the Interior?

Mr. **Edwards**. I don't recall if there is, but I will search the record.

Mr. **Seiberling**. If there is, there may be something worth taking a look at. Of course we could handle it in the bill, but I think it is important enough so we know generally.

Mr. **Edwards**. Well, I think the language of the Federal Land Policy and Management Act might clearly spell that out. We will be glad to search that out for you.

Mr. **Seiberling**. Well, it has to be read to be compatible with the Engle Act and therefore I would think we better know.

[In response to Chairman Seiberling's request, the Department subsequently submitted the following information:]

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

APR 4 1979

Mr. William L. Shafer
House Interior & Insular Affairs
Committee Staff
1324 Longworth House Office Building
Washington, D.C. 20515

Dear Mr. Shafer:

This will reply to your telephone request of February 2, 1979, to the Division of Legislation and Regulatory Management concerning certain actions taken with regard to withdrawals of public lands for military purposes.

We hope that the enclosed information in question and answer form is responsive to your concerns. If you have further questions please contact us.

Sincerely,

Arnold E. Petty
Director

Acting Associate

Withdrawal procedures for withdrawal of lands in excess of 5,000 acres for military purposes

Question: A notice of proposed withdrawal of certain lands in excess of 5,000 acres in Nye, Lincoln, and Clark Counties, Nevada for military purposes was published on page 6529 of the Federal Register of February 1, 1979. Other notices have appeared for similar situations. Are these withdrawals not subject to the Engle Act? If they are, then why is the Bureau apparently handling them under the Federal Land Policy and Management Act of 1976 (FLPMA)?

Answer: Although Congress in the Federal Land Policy and Management Act of 1976 (FLPMA), 43 U.S.C.A. 1701 et seq., repealed a number of withdrawal provisions, it did not repeal the "Engle Act", 43 U.S.C. 155-158. Therefore an act of Congress still is necessary to make or extend withdrawals and reservations of public lands in excess of 5,000 acres for military defense purposes. Military defense withdrawals of 5,000 acres or less, in the aggregate, do not require an act of Congress and may be made by the Secretary of the Interior in the exercise of his withdrawal authority under section 204 of FLPMA.

The Engle Act envisions that this Department's procedures for processing withdrawals requests generally will be followed in connection with an Engle Act withdrawal application. If the application involves an area in excess of 5,000 acres, it must, however, contain the informational categories required by section 3 of the Engle Act, 43 U.S.C. 157.

Section 204 of FLPMA, 43 U.S.C.A. 1714, sets forth certain procedures and limitations that, in part, have altered the Department's general procedures in relation to the processing of withdrawal applications. There has been considerable discussion as to precisely which of the procedural elements of section 204 were intended to apply to Engle Act withdrawal requests involving an area in excess of 5,000 acres. It has been determined by counsel that all applications for military defense withdrawals of any size must follow the notice and publication requirements of subsection 204(b)(1) of FLPMA, whereas the Congressional notice and information requirements of subsection 204(c) are not mandatory in the case of military defense withdrawals. However, counsel also has advised informally that applicants may be required to include, in whole or in part, the informational categories of subsection 204(c)(2) in all withdrawal applications, including Engle Act applications, that are submitted to the Department. The addition of the subsection 204(c)(2) informational categories would be accomplished by rulemaking, the authority therefor being the Secretary's general supervisory authority over the public lands, his discretionary authority with respect to the making of withdrawals, his authority to process Engle Act withdrawal applications involving over 5,000 acres and to make recommendations in that regard to the Congress, and his general rulemaking authority with respect to carrying out the purposes of the laws relating to the Federal lands that are subject to his withdrawal authority or to his Engle Act recommendation responsibilities. In addition to the foregoing, counsel has advised that the provisions or limitations imposed on the Secretary's regulatory authority with respect to the segregative effect of withdrawal applications under subsection 204 (b)(1) are applicable to post-FLPMA, Engle Act withdrawal applications, regardless of the acreage involved and, thus, those provisions are being referenced in the Federal Register notices pertaining to military defense withdrawal applications.

The notice mentioned in your question, and others like it, are notices of only the submission of applications for particular military defense withdrawal proposals. We recognize, however, that the notices relating to applications involving over 5,000 acres have not stated explicitly that the requested withdrawal may only be made, if at all, by an act of the Congress. This deficiency will be corrected in future notices, if the acreage involved exceeds 5,000 acres. The addition of the explanatory language should dispel any inference that the requested withdrawal, if it should be allowed, would be made by the Secretary of the Interior under his withdrawal authority, as opposed to a Congressional withdrawal.

Status of military withdrawals in excess of 5,000 acres

1. Question: Can you provide a listing of all military withdrawals over 5,000 acres that have expired or that will expire shortly?

Answer: The enclosed chart depicts the information requested. We point out that for a number of the withdrawals in question both a public law and a public land order are cited as authority. This reflects the provision included in a number of legislative military withdrawals under which the Secretary was specifically authorized to extend the withdrawal administratively for one additional period of a specified number of years.

The chart was compiled from information available in the Washington Office and covers withdrawals that have terminated or will terminate in the next four years.

2. Question: Why has the Department submitted no withdrawal proposals to Congress under the Engle Act or taken other action with respect to these withdrawals?

Answer: Enactment of the National Environmental Policy Act and later the enactment of FLPMA have required considerable rethinking and discussion of our appropriate role in the Engle Act process and development of procedures to carry out our responsibilities.

As indicated on the enclosed chart we have had continuing discussions with the Department of Defense about these matters and still have not completely resolved some issues. Enactment of FLPMA required revision of some of the procedures on which there had been agreement.

Two kinds of situations exist with regard to military defense withdrawals involving acreage in excess of 5,000 acres. In the first instance, the military has submitted applications to extend certain withdrawals, and these applications are being processed in accordance with the procedural requirements of the Engle Act and the applicable procedural requirements of section 204 of FLPMA. Eventually, the Secretary will decide whether to submit a legislative proposal to the Congress in order to further withdraw these lands, and the Congress would then proceed to act on the proposal.

As the enclosed chart shows, environmental impact statements are in process for a number of these proposed withdrawal extensions. We are doing our best to produce timely recommendations to the Congress within the framework of environmental, procedural and other requirements that must be fulfilled prior to arriving at recommendations to the Congress.

In other instances, involving some of the withdrawals which were made prior to the enactment of the Engle Act, the military has advised us that it is not certain that a new withdrawal action is needed. Apparently it is the Department of Defense's interpretation that some of these withdrawals, which were established in connection with a national emergency situation, permit occupancy and use in perpetuity without the need for further extension or other actions by the Secretary of the Interior or the Congress. It is this Bureau's preliminary view that the military has used these lands without specific authorization since the termination of the national emergency on April 28, 1952, by Presidential Proclamation No. 2974. We have requested that this question be reviewed by this Department's counsel, and are awaiting a response. These withdrawals are of primary concern to us in relation to the withdrawal review provisions in section 204(1) of FLPMA.

3. Question: Under what authority is the military occupying public lands on which the withdrawal has expired?

Answer: The enclosed chart references a number of military defense reservations for which withdrawal applications have been submitted in order to extend the period during which the reservation and withdrawal would remain in effect or be renewed.

In the case of withdrawals that have expired, we know of no specific authority for continued occupancy during the interim, application processing period and, if appropriate, the period required for Congressional consideration of proposed withdrawal legislation. However, we believe there would be no useful purpose served in attempting to eject another Federal agency from the lands when steps are being taken to resolve the question of continued occupancy and reservation of the land. This would result in a significant waste of Federal money and other resources, would interrupt ongoing programs for which we assume Congress has appropriated funds, and would not resolve procedural and other problems with regard to achieving more timely completion of the requisite studies and decisionmaking.

RENEWALS

MILITARY WITHDRAWALS IN EXCESS OF 5,000 ACRES - TERMINATED

SERIAL NO.	FACILITY	AUTHORITY	ACREAGE ORIG. W/D	DATE OF EXPIRATION	RENEWAL ACREAGE	STATUS
Fbks-012203	Fort Greely - Granite Creek Area	87-326 (9/26/61) PLO 5237	51,590.	10/3/76	38,090	Withdrawal application received (5-20-75). ES in process.
Fbks-019269	Fort Greely-Big Delta Area	87-327 (9/26/61) PLO 5238	571,995	9/26/76	Same	Withdrawal application received (5-20-75). ES in process.
Fbks-020174	Ft. Wainwright - Yukon Command	87-326 PLO 5240	256,000	9/26/76	249,551.6	Withdrawal application received. ES in process.
AR-08807	Luke Williams Aerial Gun Range	87-597 (8/24/62) PLO 5324 PLO 56 et al. E.O. 8892 et al.	825,300 (2,775,695)	8/24/77	502,000	Withdrawal application received 5/5/77 for 502,000 acres. ES in process.[5]
CA-978 (LA-0106066)	Chocolate Mountain[1]	88-115 (9/6/63) PLO 4562 et al.	252,326	9/6/73	Same	Withdrawal application filed (1/21/74). ES in process.
CA-5006 (LA-0121038)	Cuddeback Lake AF Range	88-46 (6/21/63)	7,546	6/21/78	Same	Withdrawal application filed 3/27/78.[5]
CA-4982 (LA-0107178)	Mojave B Aerial Gun Range[2]	88-161 (10/29/63)	312,659	10/29/78	Same	Withdrawal application filed (2/27/7 DOD EAR Inadequate to support W/D.
NV-036338 NV-16095	Nellis Air Force Base[3]	E.O. 8578 (10/29/40) as amended	2,828,780	9/26/76	2,945,725	Withdrawal application filed (1/4/79). ES in process.[5]
NM-017802	McGregor Range (Ft. Bliss)	PLO 1470 (10/21/57)	625,169.02	8/31/77	622,769.8	Withdrawal Application Filed (12/30/76). ES in process.
A-023002	Ft. Richardson Mil. Res.	87-300 PLO 5239	4,706 [4]	9/26/76	3,340	Withdrawal Application received (5/20/75). ES in process.
		TOTAL ACREAGE W/DN	7,686,266		5,506,613	

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[1] Notice of proposed withdrawal. Federal Register 6/21/77 Opportunity for Public Hearing (FLPMA)
[2] Notice of proposed withdrawal. Federal Register 4/7/78 (FLPMA)
[3] Notice of proposed withdrawal. Federal Register 2/1/79 (FLPMA)
[4] Total Military Withdrawal - 571,995 Acres
[5] Applications were filed too close to or after termination date. DOD determined environmental assessments would be adequate for withdrawal application processing. Interior Department determined, however, that environmental statements would be required. Military finally agreed to prepare environmental statements. It has long been held that until lands are formally opened by order, they remain unavailable for disposition under the public land laws to the extent that the withdrawal had originally segregated the lands.

OTHER MILITARY WITHDRAWALS IN EXCESS OF 5,000 ACRES - TO TERMINATE SHORTLY

SERIAL NO.	FACILITY	AUTHORITY	ORIGINAL ACREAGE W/D	EXPIRATION DATE	RESTORED ACREAGE	STATUS
R-02409	Salton Sea Test Base (NAVY) (CA)	BD 20255 PLO 5043 6/16/71	20,467	6/16/81	—	DOD filed a revocation for 13,810 acres by letter dated February 6, 1976. For up to 10 year extension, DOD must notify the Secretary of the Interior by 6/16/80 of continuing military requirement and demonstrate a need therefore.

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Mr. **Seiberling**. Now, the Air Force presumably had an opportunity to participate in shaping the 1974 administration recommendation for wilderness designation of the Desert National Wildlife Refuge. If that is the case, can we assume that the enactment of that recommendation would present no problems to the Air Force in terms of use of part of the Nellis complex that is also within the refuge?

Mr. **Gillett**. I think that is a fair assumption. The Air Force was deeply involved both at the local level and the Pentagon level in the shaping of that wilderness proposal.

Mr. **Seiberling**. What do you say, Mr. Rittenhouse?

Mr. **Rittenhouse**. That is correct. We lodged our comments during the NEPA process and stand by those comments.

Mr. **Seiberling**. Can we see the overlay that shows the proposed wilderness? The red area is the proposed wilderness?

Mr. **Gillett**. Yes, sir; that is correct. The red areas or orange areas are the proposed wilderness areas. The areas that are not a part of the wilderness proposal fall into one of two categories. The long lake valleys are the areas they are using for air to ground at the present time. The long thin corridors are the road accesses for the public and outside of the Nellis Range for access into various parts of the refuge.

Mr. **Seiberling**. Would the red areas be subject to bombing?

Mr. **Gillett**. No, sir.

Mr. **Seiberling**. Because that certainly is use of a mechanical device.

Mr. **Gillett**. That is correct.

Mr. **Seiberling**. All right. Thank you.

Now, one other question. Are there any complications with the wild horse range that you foresee from this withdrawal?

Mr. **Edwards**. None that we foresee. The management of the wild horse range will continue as it has in the past.

Mr. **Seiberling**. Are there any steps that could be taken to accommodate the Air Force's desire for a security buffer in the Groom Range short of a proposed withdrawal?

Mr. **Rittenhouse**. I think I responded to that inferentially while I was up at the board, sir, the problem is of elevation, but also proximity, so our feeling that that 89,600 acres represents what is necessary to have control of the access to that area, and the visual sitings controlled, also.

Mr. **Seiberling**. Suppose we passed the bill giving you temporary control, but required a full NEPA review, how would you feel about that?

Mr. **Rittenhouse**. Well, let me check with my NEPA people. The feeling would be obviously, if it is the will of the Congress, that is what we would do.

The question raised would be what would—since we intend no impact on that area, aside from the control of the roadways and access to the property, it might be quite costly in terms of what you derive as an end result.

Mr. **Seiberling**. Well, no hunting?

Mr. **Rittenhouse**. Sir?

Mr. **Seiberling**. There would be no hunting?

Mr. **Rittenhouse**. Fish and Wildlife? Is there much hunting there now?

Mr. **Gillett**. I cannot speak to that question directly. I can find out.

Mr. **Seiberling**. We don't know, and that is part of the problem. Well, that may be one possibility here, particularly if we run into some time problems, as we just started doing at this moment.

We may submit some additional questions, and I would ask each of you, if you will be agreeable to supplying some written answers reasonably promptly. Is that all right?

Mr. **Rittenhouse**. Yes, sir.

Mr. **Seiberling**. OK, thank you very much.

Sorry to keep you waiting so long. We might as well start with the next panel, consisting of Mr. John A. Leitch, president, Nevada Wildlife Federation; Mr. Lynn Greenwalt, vice president, Resources Conservation Department, National Wildlife Federation; and Mr. William C. Reffalt, director, Wildlife Refuge Programs, The Wilderness Society.

Mr. Leitch?

[Prepared statement of Lynn A. Greenwalt may be found in appendix III.]

PANEL CONSISTING OF JOHN A. LEITCH, PRESIDENT, NEVADA WILDLIFE FEDERATION; LYNN A. GREENWALT, VICE PRESIDENT, NATIONAL WILDLIFE FEDERATION; AND WILLIAM C. REFFALT, DIRECTOR, WILDLIFE REFUGE PROGRAM, THE WILDERNESS SOCIETY

Mr. **Leitch**. Chairman Seiberling, it is indeed an honor to appear before you today.

The issues we must address are significant enough to demand my first trip to Washington. The testimony today is to expand upon our letter of July 18, 1984.

If one examines a map of Nevada, the presence of the military and the Department of Energy in our State is evident. Nevadans have given, and are giving much for national defense. In addition to almost the entire southern one-third of our State for the bombing range and the test site, consider the large withdrawals for the Hawthorne munitions site and the Fallon Naval Air Station.

Add to these the proposed naval supersonic operations area and the proposed 2,500-square-mile Gandy Range SOA for the Air Force. Now add to these the additional 89,000 acres to be added to the Nellis bombing and gunnery range.

Nevadans throw up their arms and say, "Enough is enough." What can the Department of Defense do for our State to offset these withdrawals? This most recent request is the straw that broke the camel's back.

Prior to my moving to Nevada in 1967, I was an officer in the Air Force, and stationed in Michigan. At that time, and in that location, the Air Force was a good neighbor to the citizens of Michigan.

The Air Force cooperated actively in wildlife management programs, and assisted the Michigan Conservation Department in the winter feeding of yarded whitetail deer.

The sportsmen and conservationists of Nevada do not look at the military as good neighbors. We are tired of the manner in which they do things. Take for example the Gandy Range SOA. The proposed SOA would take up 2,500 square miles of air space over eastern Elko and White Pine Counties of Nevada.

The environmental impact statement states 80 to 100 sonic booms per day reaching the ground. The area includes some of our finest antelope habitat, prime deer winter range, and completely surrounds the BLM Goshute Peak Wilderness study area.

The draft EIS was filed only in the Ely and Elko, Nevada libraries. No sportsmen's or conservation group was supplied with a copy. No public hearings were scheduled. We stumbled on this EIS about 1 week before the comment deadline.

Fortunately, our four legislators in Washington, who didn't know about it either, were successful in getting an extension on the comment deadline, and two public hearings.

The Cedar Springs area of Lower Stone Cabin Valley on the northwest edge of the bombing range is another example. When I moved to Nevada in 1967, and until 3 years ago, this area provided hunting for antelope, deer, and chukar partridge on a seasonal basis.

This was through an understanding of the DOD and the Nevada Department of Wildlife to not enforce the range boundary. Three years ago the area was locked, and public recreation was stopped. It is our own fault, but nobody complained at the time.

Consider, too, the U.S. Air Force use of a helicopter to establish a hunting camp in a roadless area in Nye County in Central Nevada.

I brought a picture of the helicopter offloading supplies, and this happened in 1979.

Fortunately, the Nevada Department of Wildlife was successful in arresting these violators in the act. This was total disrespect for Nevada's laws, and its wildlife resource. Think of the bombing of the concentration mill at the Sheahan family mine on Groom Mountain.

See the August issue of the voice of the Nevada Wildlife Federation, the Western Sportsman, which I have brought for you.

Consider the violations by Air Force personnel for the hunting of mule deer and antelope on the bombing range lands that are closed to hunting. I submit the following as evidence of the behavior of these Air Force personnel, and their lack of respect for the wildlife of Nevada.

During munitions cleanup operations 1, 2, and 4 conducted from May 1979 through March 1981 on the Nellis bombing and gunnery ranges 74, 75, and 76, not less than 14 enlisted personnel and one officer participated in the unlawful killing of protected big game animals.

Through admissions of these airmen, at least 4 mule deer and 12 antelope are known to have been killed. Six airmen in plea negotiations with the State of Nevada agreed to pay a total of $6,250 in fines and $1,400 in civil penalties. There are numerous other military personnel that assisted in the field dressing, butchering, cooking and consumption of the animals.

Eighteen months ago, at the 33d annual meeting of the Nevada Wildlife Federation, we hosted a panel discussion between the BLM, USAF, USF&WS, and the Nevada Department of Wildlife.

The topic of that panel was "Wildlife Management on Department of Defense Lands." With all due respect, the USAF participant, Col. Robert Herculson, has been a gentleman in all our dealings with the Air Force. Promising statements made in the panel discussion, by the Air Force, about cooperative wildlife management have failed to materialize.

The current BLM program to manage wild horses on the bombing range, the CRMP process started last Friday, August 3d, in Las Vegas, is not because of a sudden desire to cooperate in management on the part of the Air Force.

It is because of past nonmanagement that has allowed overpopulation of wild horses to occur. Because of an unusually dry spring this year, the range has deteriorated.

The Air Force is now concerned about collisions that may occur between aircraft and carrion birds that will be attracted by the dying and decomposing horses.

It has been 4 months since the Nevada Wildlife Federation met with Nellis Air Force Base personnel in the range operations headquarters at Nellis. The subject of that meeting was the DOD's forceful closing to public use of 89,000 acres, including the Groom Mountain Range, that is needed for security of area 51 of the test site and bombing range. We discussed mitigation for the loss of access, but to date, nothing has come of that meeting.

The Nevada Wildlife Federation understands the need for additional security, and would have supported the withdrawal, given half a chance. We do have several concerns, however.

The first concern is the manner in which the Air Force has gone ahead and locked up our public lands, without congressional approval to do so. This maneuver appears to be highly illegal. It would be an interesting court case to challenge the guards on the access road. The public relations people at Nellis must rate a zero on this issue.

Our second concern is the impact to the wildlife of our State, and its citizens' loss of the opportunity to utilize the land and wildlife for recreation.

In light of the fact that our State is one of the fastest-growing in the Nation, if not the fastest, this land withdrawal puts an enormous strain on our limited number of outdoor recreation areas.

The loss of an additional 89,000 acres cannot be supported without some mitigation for this lost recreational land and its wildlife values.

The Groom Mountain Range, within the 89,000 acres to be withdrawn, is habitat for trophy mule deer, chukar, quail, and many species of nongame wildlife. There are three major springs and several seeps that support the wildlife and livestock that use the range.

The area has been identified by the Nevada Department of Wildlife as an excellent release site for bighorn sheep.

If the Department of Defense needs this land for security, they should mitigate its withdrawal to the citizens of Nevada with grants and programs to offset the loss of these areas. Wildlife losses should be mitigated by wildlife gains, and recreational losses by recreational gains.

We believe the actual mitigations should be determined by the Governor of Nevada and the State's director of the department of wildlife. If this were the case, the mitigations would be in the best interest of the citizens of Nevada, and their wildlife resources.

Our third concern is that the language of the bill would reserve the 1976 memorandum of understanding between the U.S. Fish and Wildlife Service and the USAF. In effect, this would place the management of the Desert National Wildlife Range under the direct control of the Air Force, rather than the USF&WS.

We strongly recommend that this language be changed to keep the current status of control, and to guarantee a workable management of the renewable natural resources found within this vast portion of our State.

Thank you for your kind attention to this report.

Mr. **Seiberling**. Mr. Greenwalt?

Mr. **Greenwalt**. Mr. Chairman, I am Lynn A. Greenwalt, a vice president of the National Wildlife Federation and in charge of its Resources Conservation Department.

I would like to have my statement submitted for the record, and paraphrase and emphasize some matters, but before I do, if I may, Mr. Chairman—before I do, I should like to point out that the National Wildlife Federation is the world's largest conservation-education organization, with over 4 million members and supporters and 51 affiliated organizations representing the States and territories.

We have heard much about the relationship in the past between the military and the Interior Department as it relates to the management of lands, most particular the Desert National Wildlife Range.

We in the National Wildlife Federation are specifically concerned that the language of the proposed legislation would materially change that relationship in at least two very significant ways.

Something has been said earlier about the references made to the matter of the application of the National Wildlife Refuge Administration Act of 1966 to the management of these lands, except to the extent rendered necessary by national defense, and further, to the idea that the Desert National Wildlife Range shall be managed by the Secretary of the Interior in accordance with the Refuge Administration Act, except to the extent that other uses are required for purposes of national defense.

These exceptions, Mr. Chairman, trouble us mightily, because it would seem to provide the U.S. Air Force with unlimited discretion to determine what activities on the desert range are needed for national defense purposes.

Frankly, I find it hard to understand that the Air Force could find any use of withdrawn refuge lands that was not construed to be necessary for national defense.

The result, really, is that H.R. 4932 unacceptably subordinates the primary purpose of the refuge to all military activities required for national defense purposes, regardless of whether these activities are compatible with the purpose of the refuge or not.

Additionally, I am confused and that should be no surprise to my friends, but I am confused about the fact that the withdrawal would apply to a very large acreage, and would, according to the language of the legislation, would provide for the extension of the March 11, 1976 memorandum of understanding to those lands when in fact that memorandum, as I understand it, applied to the lands that were used actively by the Air Force as their gunnery range, and that part of their activity to which extreme restrictions are to be applied, to wit, 154,080 acres.

These were acres not utilized by bighorn sheep as was discussed earlier, but which were covered by the general thrust of the memorandum of agreement.

Mr. Chairman, I think I should not add my confusion further by saying much more than to point out that there seems to be a manifold, manifest change in philosophy potential in the application of this legislation, and we in the National Wildlife Federation are concerned about this.

I might say only, Mr. Chairman, parenthetically, the subject of decontamination of toxic or explosive degree also provides some concern to us, because under the present agreements, as I understand it, the Air Force continues its own directive to decontaminate the surface of the withdrawn lands every 5 years.

The legislation proposed would tend to control the subsequent decontamination based on whether the two Secretaries thought it was practical and economically feasible, and whether or not the Congress provided money.

At present, I understand decontamination is done with funds available to the Air Force.

I will say as a last point, Mr. Chairman, that the National Wildlife Federation strongly supports the Nevada Wildlife Federation's position, that the Air Force should provide compensation for the loss of wildlife and recreational resources to the people of Nevada.

We feel very strongly about that, Mr. Chairman. Thank you very much for the opportunity to appear before you.

Mr. SEIBERLING. Mr. Reffalt?

Mr. REFFALT. I will try to highlight portions of my prepared testimony.

The proposed legislation before you today, as written and supported by the administration, threatens to modify a long-standing balance of agency uses, jurisdictions and responsibilities and, thereby poses a serious threat to nationally significant wildlife resources and public land benefits. TWS opposes the legislation as it is currently drafted.

Beginning with the onset of World War II, the War Department was granted use of relatively small tracts of land in southern Nevada as a gunnery and pilot training area. Portions of those tracts overlaid lands in the Desert National Wildlife Range established in 1936 for the preservation of the Nelson's desert bighorn sheep and their associated natural environment.

After the war, instead of relinquishing those tracts as originally intended and agreed, the military pursued a course of mission expansion and range enlargement that has today resulted in over 3 million acres of lands being used to support pilot training and weapons testing in that area.

Another example is the current attempt by the Air Force to establish an exclusive air space zone over that portion of the DNWR currently outside the training range.

Military use in the restricted air space would include operation of aircraft down to zero feet above ground level in half of the new area and down to 100 feet above ground level in the remaining portion of the zone.

The effects of these operations on the refuge have not been addressed, no EIS has been completed, and little consultation with the Fish and Wildlife Service has been conducted.

These examples illustrate a serious lack of concern by the Air Force for the many other important and legitimate uses of this Nation's public lands. Viewed in that light, the draft bill contains congressional delegations of jurisdiction over the lands and resources in the Nellis Air Force Range that we believe will result in loss of the many public values and benefits that have traditionally been associated with the refuge and other areas within the range boundaries.

Such losses are not desirable or necessary.

I have attached to my testimony an alternative bill that I believe would provide for the continued military uses of the Nellis Range while also continuing the important work and public benefits associated with the refuge and the public lands of that area.

I urge the committee to consider this alternative as it moves forward in its work.

In contrast to this maintenance of status quo, the administration bill asks this committee to create a new congressional withdrawal and to place exclusive jurisdiction for management in the Air Force.

Management under the Refuge Administration Act and the BLM Organic Act would be subordinated to the generic "national defense purposes" clause in the bill. In essence, the Congress is asked to disestablish that portion of the DNWR overlain by the Nellis Range as well as any other previously established natural resource units such as the Wild Horse Range under the jurisdiction of the BLM.

Such a grant of power is excessive and unnecessary to allow the military to meet its established mission for these lands.

Another major grant of power contained in the administration bill would result from the provisions of section 4. In effect, this section permits the Air Force to allow the contamination in the Nellis Range to accumulate over the 25-year withdrawal period.

In fact, the bill provides that if the Congress declines to appropriate money for decontamination, then the area remains subject to the provisions of this bill indefinitely.

These provisions are an implicit amendment of the provisions of the Engle Act of 1958 and the BLM Organic Act of 1976, which require the military withdrawals to be periodically reviewed and specifically reauthorized by this committee. All such provisions should be deleted from the bill.

Mr. Chairman, when the military issued an environmental impact statement in 1981 which analyzed the possible future withdrawal of the Nellis Range and the authorization of military uses of the lands, there was no indication of the changes which are contained in the current administration-drafted bill.

Also, there was no indication in that EIS that the military mission accomplishment required such one-sided changes to the existing jurisdictional arrangements. Increases in the level of mission activities have been adequately accommodated within the current arrangements.

The EIS contemplates further increases, yet it does not indicate any expected impairment to Air Force activities resulting from the jurisdictions and activities of the other agencies.

That EIS also contemplates the establishment of wilderness as proposed by the FWS in 1981 for major portions of the DNWR and, still, there was no indication that the accomplishment of the training or testing mission would suffer in any way.

All of this strongly suggests that the administration's bill will result in an excessive grant of authority that goes far beyond any identified need.

The bill I have attached to this testimony recognizes that the Nellis mission is important and can be continued without the sacrifice of other national goals. That bill would also designate as wilderness that portion of the DNWR and approximately 61,000 acres of adjacent public lands found to fully qualify for such designation by the FWS in the wilderness study completed in 1971.

The total area to be designated as wilderness is approximately 1,431,542 acres, but it was designed by FWS so as to accommodate the military operations and a proposed alternative energy transportation corridor along Highway 93.

Wilderness designation is especially appropriate for this area because it represents a unique assemblage of plants, animals, physiography, climate and other environmental features that is not currently represented in the National Wilderness Preservation System.

In addition, the plants and animals found in this proposed wilderness are species that are specially adapted to the climax ecological conditions found on the refuge. In other words, wilderness is the best management approach for the ecosystems represented on the DNWR.

The refuge contains between 10 and 20 percent of the desert bigboth the Great Basin and Mohave Desert biomes. No other single unit of our Federal protected land management systems duplicates that representation.

The refuge contains between 10- and 20-percent of the desert bighorn sheep found in the United States. Further, it contains between 40 and 50 percent of the Nelson's desert bighorn sheep found on Earth.

In all, the refuge hosts about 53 mammal species, 250 bird species, 31 reptiles and amphibians, and 1,000 plant species. There are important paleontological, archeological, and cultural resources found in the areas to be designated as wilderness.

Each year, about 15,000 people hike, horseback ride, and otherwise use the refuge lands to gain a rewarding wilderness experience.

The two public hearings held in Nevada that have requested public opinions regarding the FWS wilderness proposal have shown that the majority of the public support that concept.

I will conclude my remarks by reiterating my firm belief that the status quo is the best approach to assuring the maximum net public benefit from this large area of public lands.

Further, the refuge wilderness proposal has been under consideration by this committee for over 10 years, and I believe that now is the time to finalize it and assure the public that a unique desert area will be protected for all time.

Finally, Mr. Chairman, I commend you and the committee for giving careful consideration to the issues raised by this proposal. I know that there are several more military withdrawal bills that will come before this committee in the future. Each of them will require a similar specific analysis and opportunity for public comment.

Thank you, Mr. Chairman.

Mr. SEIBERLING. Thanks.

The military have been a little bit pregnant for a number of years apparently on these withdrawals that have expired, and maybe they decided that they might as well not worry about another 89,000 acres since they are already operating illegally and in trespass on all these parts of the public land.

There are bills pending in the Senate on this subject. I am wondering, in view of the lateness of the session, if we wouldn't be better off, since they claim an important national security purpose, in simply giving them a 2-year right to operate over this range, including the 89,000 acres, and require a full EIS and go through the proper procedures before permanent legislation is enacted.

How would you feel about that?

Mr. REFFALT. Well, I might offer, Mr. Chairman, that would be acceptable to us. The proposal that I have placed with my testimony exercises your authorities under the Engle Act and the BLM Organic Act to simply direct the Secretary of the Interior to use his existing authorities to withdraw these lands.

In my view, that would mean that the provisions of section 204 of FLPMA which require EIS and public hearings and a number of specific items be submitted to the committees up here, would be appropriate.

Mr. SEIBERLING. I wouldn't give him any authority. We would statutorily withdraw them for a reasonable period of time, say, 2 years, to give them time to prepare an EIS, and do it the right way, and incidentally, we have all these other areas, as you mentioned, where the military withdrawals have expired, and so we could do the whole thing as part of a comprehensive bill covering all of the military reservations.

They are all over the country, Alaska, Arizona, California, et cetera. Any other thoughts on that?

Mr. GREENWALT. Mr. Chairman, neither of us object to this approach at all. Clearly, we understand that we are attempting to maintain the status quo which works very well on the national wildlife range, the Desert Wildlife Range and its vicinity, and we would have no objection to approve that would properly legitimatize the Air Force's role and permit it to carry out its duty, but at the same time, recognize that the appropriate arrangement as between the managers of those lands is one that has to be very carefully worked out, and I am very fearful of the approach that is concerned in the legislation presently proposed.

Mr. SEIBERLING. I think maybe we should give them a similar period of time on all of these areas. Maybe we will have to have another hearing on it, and the price for being made legal will be that they have got to go through the NEPA process for all of them before we give them any further legislation, and we will simply mandate statutorily that they do it by a certain time.

Whether 2 years is enough, I don't know. The idea of operating without any legal authority is not a good idea, and they ought to be, they ought to straighten up and fly right, to use an Air Force term.

All right, any further comments?

Mr. REFFALT. I have read several of the other proposed military bills that were introduced in the Senate, and I would say that each and every one of them has its own unique set of complexities.

Some of them would affect the Alaska Native Claims Settlement Act and the Alaska Statehood Act and others would affect other national wildlife refuges in other States. One of them, by grant of exclusive jurisdiction, also places the same kind of concerns raised by this panel here, so any move on your part to require the military to thoroughly analyze that and take it before the public would be beneficial.

Mr. SEIBERLING. Maybe 2 years is too long, because if we give them 2 more years, it will be this time in the next Congress and we won't have time to act again, so we probably ought to give them either a year or maybe 3 years.

Mrs. Vucanovich?

Mrs. VUCANOVICH. Thank you, Mr. Chairman.

I don't want to prolong our meeting here today, but both Mr. Greenwalt and Mr. Reffalt made a big point about how large their membership was, and why they thought this was important.

I would like to know for the record, Mr. Greenwalt, how many Nevadans are members of your organization, and the same for Mr. Reffalt.

Mr. REFFALT. I don't have the specific figures immediately before me. I do know that we have a number of members in Nevada, and I would be happy to provide that for you.

[EDITOR'S NOTE.—In response to Mrs. Vucanovich's inquiry, Mr. Reffalt subsequently transmitted the following information:]

[redacted]

AUG 14 1984

THE WILDERNESS SOCIETY

FOUNDED IN 1935

August 13, 1984

Representative Barbara F. Vucanovich
House of Representatives
507 Cannon Building
Washington, D.C. 20515

Dear Ms. Vucanovich:

During my testimony on August 6th regarding the Nellis Air Force base withdrawal legislation, you requested the number of Wilderness Society members residing in Nevada. Presently, The Wilderness Society (TWS) has approximately 500 members in Nevada. You will note that in my prepared testimony I provided our current national membership (i.e. 105,000). The national membership figure was used because TWS strongly believes that the issues raised by this legislation have regional as well as national significance.

The Desert National Wildlife Range (DNWR) is a unique and important component of the National Wildlife Refuge System and its preservation and management is essential to fulfilling our national goals of wildlife conservation. Additionally, the DNWR offers excellent recreational and scientific opportunities to numerous TWS members and and the entire nation. This is especially true for those members who live in the surrounding region. Presently, TWS has an active membership of approximately 14,000 in southern California, 2,000 in Arizona and 725 in Utah. These member's interests could be detrimentally impacted if the legislation is passed as currently drafted.

I would welcome an opportunity to discuss these issues with you or your staff at anytime of convenience to you. Please feel free to contact me.

Sincerely,

William C. Reffalt

William C. Reffalt
Director
Wildlife Refuge Program

cc: Congressman Morris Udall
Congressman John Seiberling

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006

Mrs. **Vucanovich**. I think it is important, because you made an issue that you represent such a large amount of people, and that is important to our State. All of us are concerned about land withdrawals. One of the reasons that we appreciate the chairman having these hearings is so we can talk about the fact that these proper procedures have to be followed. When we think it is all right to withdraw land for wilderness but not all right to withdraw it for other purposes, that is all the more reason we should have an EIS and see how much of this land is used for those purposes, and just where this really comes down.

I think you have to look at all of your priorities, and I would thank all of the gentlemen for making their presentations.

Thank you, Mr. Chairman.

Mr. **Seiberling**. Maybe Mr. Leitch knows.

Mr. **Leitch**. I know how many I represent, we represent 6,000 sportsmen in Nevada that belong to our 25 affiliate clubs, Nevada Wildlife Federation.

Mrs. **Vucanovich**. How many members?

Mr. **Leitch**. 6,000 members of our 25 affiliate clubs.

Mr. **Seiberling**. An affiliate of the National Wildlife Federation?

Mr. **Leitch**. Yes, sir. How many Nevadans belong to the National, I have no way of knowing.

Mr. **Greenwalt**. I will find out. There frequently are duplicates, but I suspect at least as many as are members——

Mrs. **Vucanovich**. I think that is important to find out when we talk about the use of this land. I have talked with people that I feel are impacted very heavily by this withdrawal, and I mean the Sheahans, and so forth. I have talked with a lot of other people, but if we are talking about many, many Nevadans being affected by this withdrawal, I would like to see that pointed out in the EIS, and the chairman's idea of making sure that we do follow through on this whole EIS is a very good answer.

Mr. **Greenwalt**. I agree, and I might say, as well, the interest of the National Wildlife Federation runs to the fact that these public lands are in fact public lands, and are and should be the concern of everyone to whom they are valuable and the values of that national wildlife refuge and the adjacent BLM lands are very great.

We recognize that, and we would like to make the point that the membership of the National Wildlife Federation generally is supportive of the wise and appropriate use of the Nation's natural resources, wherever they may occur.

Mrs. **Vucanovich**. Of course, they all occur out in the West or a great, great part of them.

Mr. **Greenwalt**. That seems to be a function of the way the population was distributed, and since I was born in Nevada, I am guilty of taking myself away from that place and coming east. I was born in Reno, one of the only places available to be born in.

Mrs. **Vucanovich**. Thank you very much.

Mr. **Seiberling**. Let me say, I don't think anyone is contending we shouldn't withdraw lands for military purposes. What we are saying is that they should go through the proper procedures, including NEPA, environmental impact statements just as they do when the BLM or the National Forest Service makes studies of roadless areas for purposes of wilderness recommendations.

When they fail to do that, the courts have ordered them to do it and have frozen the status of all the roadless lands. That was what the California decision was all about, so I don't know why the Defense Department should not be subject to the same requirements.

So if anyone brought a lawsuit, I would suspect that the results would be the same as the California RARE II decision. That is really all we are suggesting, gentlemen.

Thank you very much.

Let's try panel No. 4, Mr. Bob McQuivey, department of wildlife, State of Nevada; and Mr. Robert Loux, Governor's office, on behalf of the department of minerals, State of Nevada.

Mr. McQUIVEY. I have traveled such a long ways——

Mr. SEIBERLING. If you want to summarize your statement, we will put the whole thing in the record.

[Prepared statement of Bob McQuivey and Robert Loux may be found in appendix III.]

PANEL CONSISTING OF BOB McQUIVEY, STATE OF NEVADA DEPARTMENT OF WILDLIFE; AND ROBERT LOUX, DIRECTOR, NUCLEAR WASTE PROJECT OFFICE, STATE OF NEVADA DEPARTMENT OF MINERALS

Mr. McQUIVEY. Mr. Chairman, my name is Bob McQuivey, and I represent the Nevada State Department of Wildlife.

On behalf of our agency and the public which we serve, I would like to express our appreciation to this committee for providing the opportunity for public input on an issue which is of paramount importance and significance to Nevadans.

To paraphrase the next three pages, our comments are basically that the Desert National Wildlife Range was established in 1936 for the protection and preservation of bighorn sheep.

The Air Force bombing range was also withdrawn by Executive order in 1940 because of the impending war.

Since that time, there have been several land withdrawals and/or memorandums of understanding established between the Department of the Interior and the Department of Defense to allow concurrent activity within that portion of the game range that is used by the military.

We have no problem with that. We think that is a situation, if worked out, we feel that both uses, it can be worked out at the local level as was referred to before, and that is what we would like to see maintained in the future, as far as the management of that particular area.

As far as the importance of bighorn sheep, there is no question that that area is a stronghold for this magnificent and important species, and it currently supports about 40 percent of the entire bighorn sheep populations in Nevada.

Not only is it the State animal, but its value as a game species to the public is evidenced by three of the clubs in Nevada raise annually by donations some $40,000 to our agency to assist in the programs.

One hundred last year paid $67,500 for a single Nevada bighorn sheep tag authorized for annual auctions, so you can see that it is a pretty important animal to the hunting public.

The major problem we have with the bill is that the bill language, we feel, changes the jurisdiction from being primarily for the use of desert bighorn sheep to being primarily used by the military, with the management of the refuge being secondary.

We suggest the wording be changed or include the current memorandum of understanding, which is in existence today.

The second major issue which we feel is important is that of the Groom Range. Our agency, as well as other State agencies in Nevada carefully reviewed and provided meaningful comment on the EIS for the Nellis range withdrawal initiated in 1979 and completed in May of 1981.

Our agency did not oppose the continued withdrawal of the Nellis Air Force Range as displayed in the EIS, so long as the integrity of the Desert National Wildlife Range was not jeopardized.

We were somewhat dismayed to learn in 1983 that an extension of the existing range was being proposed by the U.S. Air Force and had been under consideration since November of 1981, only 6 months after the completion of the EIS.

We do not believe that keeping a proposal of this nature out of the public eye is an appropriate way for the U.S. Air Force to conduct business, particularly with respect to the doctrine of public trust.

Basically, what we are saying is that we do not really have the expertise to address whether or not that particular land is needed for the national defense. That is outside of our realm of expertise.

We do feel, however, that if the Air Force needs that land, we feel that they would be able to mitigate the losses that we have in terms of wildlife and recreation.

We suggest three possibilities as far as mitigation. No. 1, the possibility of opening up other portions of Nellis for controlled recreational hunting on a limited and closely monitored basis.

There are other portions of the range not needed for that type of security.

No. 2, provide the necessary funding for the select purchase of private property by the State in an attempt to enlarge existing wildlife management areas or create new ones.

Or, No. 3, provide the necessary funding for a water development program on adjacent public land areas to increase the distribution and abundance of wildlife populations of various species, especially bighorn sheep, Gambel's quail and chukar partridge.

I hope you will give our comments all due consideration. Thank you for the opportunity to testimony.

Mr. SEIBERLING. Mr. Loux.

Mr. LOUX. Thank you, Mr. Chairman. I will be very brief.

For the record, my name is Robert Loux. I am with the Governor's office, State of Nevada, and I am here to provide testimony on behalf of the department of minerals. The 89,000 acres, the subject of discussion today, and make up part of the Nellis Air Force bombing range encompasses an area, western Lincoln County, which is potentially rich in minerals resources.

Claims were first staked in the Groom district during the 1860's. Lead and zinc have been extracted continuously from the area since 1885, while silver and copper areas have been identified in potentially significant concentrations.

BEST COPY AVAILABLE

North and northwest of the Groom district, the prospects for finding gold-bearing ore are considered to be favorable.

The Dan Dale mining district is located at the north end of the Groom Range. This district was formally organized in 1945, but mining began much earlier. The area contains proven deposits of gold, silver, lead, mercury, and copper.

Mr. Chairman, the Nevada Department of Minerals considers the Groom Range area to be rich in commercially exploitable resources. Mining operations already exist which annually produce profitable quantities of various minerals, and given the favorable geological conditions in the area, the mineral-bearing potential can be said to be significant.

Consequently, the Air Force proposal to permanently withdraw this land will seriously and adversely affect the mining and minerals industry in Nevada.

The Department is asking, Mr. Chairman, that before the withdrawal of the 89,000 acres in question is approved, a complete environmental impact study be done and the area be thoroughly investigated to assess its mineral potential and economic worth.

For the record, I would like to submit a memorandum dated August 3, 1984, from Richard L. Reyburn, director of the Nevada Department of Minerals, describing in more technical detail the mineralogy of the area.

Attached to that memorandum are copies of assay reports attesting commercial mineral potential of various ore samples taken from Groom Range.

Thank you, Mr. Chairman and members of the committee, for allowing me the opportunity to present this testimony in a matter of serious concern to the State of Nevada.

Mr. SEIBERLING. Thank you, I have read both of your statements in full, and also looked over the attachment to your statement, Mr. Loux. That is very helpful. You certainly reinforce my reaction that before we do anything final here, we ought to have a complete environmental impact statement.

Mrs. Vucanovich.

Mrs. VUCANOVICH. Thank you very much, Mr. Chairman.

I would like to ask Mr. McQuivey about the $67,500 for single Nevada bighorn sheep tag. Was this for the benefit of the YMCA?

Mr. MCQUIVEY. Four years ago, we authorized our agency to auction or bid one tag in the State of Nevada as a means of raising money to offset the costs for management. We took it to the North American Foundation for Wild Sheep and they auctioned it off and an individual from Texas actually paid that much money to our State for the privilege of hunting one sheep.

Mrs. VUCANOVICH. Did he get a tax benefit for doing that?

Mr. MCQUIVEY. I am sure he did.

Mr. SEIBERLING. Our final panel consists of Mr. Jeff van Ee, Toiyabe Chapter, The Sierra Club; Mr. Amos Eno, director of wildlife programs, National Audubon Society, and Mrs. Susan Hagood, assistant director, wildlife refuge project, Defenders of Wildlife.

[Prepared statement of Jeff van Ee may be found in appendix III.]

PANEL CONSISTING OF JEFF VAN EE, TOIYABE CHAPTER, THE SIERRA CLUB; AMOS ENO, DIRECTOR OF WILDLIFE PROGRAMS, NATIONAL AUDUBON SOCIETY; AND SUSAN HAGOOD, ASSISTANT DIRECTOR, WILDLIFE REFUGE PROJECT, DEFENDERS OF WILDLIFE

Mr. VAN EE. Mr. Chairman and distinguished members of this subcommittee, I am a member of the Sierra Club from Las Vegas, NV. I was chairman of the Las Vegas group of the Sierra Club from 1977 to 1978 and chairman of the Nevada chapter from 1979 to 1982.

I lived in the Chicago area for 22 years, but for the last 12 years, I have lived in Nevada. Among the environmental awards I have received is the 1983 Nevada Wildlife Federation's "Governor's Conservation Award: Conservationist of the Year."

This capsule biography outlines the experience that I will draw upon in presenting the Sierra Club's positions on several aspects of H.R. 4932.

Mr. SEIBERLING. Can you give us the highlights of your statement?

Mr. VAN EE. I will try.

I became interested in this issue for a variety of reasons. No. 1, I think what the Air Force did was not proper, and I would urge the Sierra Club's urging that the status quo be maintained, and from what I have heard today, that is what you are suggesting.

And, therefore, the Sierra Club can really approve that proposal.

A proposal that I would like submitted in conjunction with my statement for inclusion in the record covers a proposed mitigation measure for the Air Force's 89,000-acre land withdrawal in the Groom Range area of Nevada.

I would have liked that proposal to have been considered in the Air Force's EIS process, but there was not an opportunity to do that.

The proposal that Congressman Reid referenced in his testimony represents an outgrowth of the Santini-Burton legislation, passed by this Congress some time ago.

The proposal basically permits public and private land management problems to be resolved through the establishment of an escrow fund that would allow environmentally sensitive, privately owned lands to be purchased in the State where Federal lands are taken from public use.

This has worked with some success in dealing with the environmental problems in the Lake Tahoe area, and I think this is an approach that the Air Force should consider in compensating the State of Nevada; or, I should say, the citizens of the State of Nevada.

If the Air Force can compensate Mr. Pat Sheahan for the loss of his mine, then I believe the Air Force can compensate the citizens of Nevada for the lost wildlife and habitat and recreational opportunities on the 89,000 acres of the Groom Range, and I believe the proposal that I am submitting for your consideration could be used for that compensation purpose.

One of the fighters that streaks over Nevada's lands at supersonic speeds may cost approximately $20 million. Simple arithmetic shows that the 89,000 acres seized by the Air Force from the public domain lands at $220 an acre equals the cost of just one fighter plane.

A $20 million escrow fund would be adequate for providing increased wildlife and recreational opportunities in the State.

That is a brief summary of my proposal. Thank you.

Mr. SEIBERLING. Mr. Eno?

Mr. ENO. Mr. Chairman and members of the committee, I am Amos S. Eno, director of wildlife programs for the National Audubon Society. I appear before you today on behalf of the society and its over 500,000 members.

I am here to voice the Society's strong opposition to a bill which, if passed, could have a severe impact on the fate of the Desert National Wildlife Refuge by making it subject to the overriding authority of the military.

Important wildlife and wilderness values are at stake in this issue. In addition, passage of H.R. 4932 would set a precedent for several similar pending bills, and would have ramifications for at least two other refuges that must operate with military withdrawn lands.

Desert is the largest national wildlife refuge in the lower 48 States, encompassing over 1.5 million acres. The refuge is not only vast, but the scenery is spectacular, with habitat ranging from the burning desert floor to snow mountains close to 10,000 feet high. Ponderosa and bristle-cone pines dominate the upper elevations; unique joshua trees stand out below.

Desert NWR was established in 1936 by Executive order of President Franklin Roosevelt, to protect remnant populations of true desert bighorn sheep, Ovis canadensis mexicanus, as distinguished from the Nelson's bighorn, Ovis canadensis nelsoni.

This species of bighorn was then close to extinction, and is yet suffering a general decline throughout its range. Today's Desert protects the largest existing population of these majestic animals.

Bobcats, mountain lions, mule deer, antelope, and kit fox are also found on the refuge. Some 227 species of birds have been spotted, most notably desert species such as the roadrunner, sage sparrow, and Gambel's quail.

In addition, Desert's Corn Creek Springs Pond provides a haven for 1 of only 2 existing populations of the Pahrump killifish, an endangered species.

Four years after establishing Desert NWR, President Roosevelt issued another Executive order which was to have a significant impact on the refuge.

Roosevelt's emergency wartime withdrawal of lands in southeastern Nevada created the Las Vegas bombing and gunnery range, now known as the Nellis Air Force Range. The Nellis Range currently extends over more than 3 million acres.

The South Nellis Range envelopes roughly the western two-thirds, 826,000 acres, of Desert NWR. This area is completely closed to public use. The eastern part of the refuge is visited annually by 10,000 to 15,000 people, many of whom come to hike or camp in the back country areas, where at high elevations bighorn sheep can be readily seen.

Over 1.3 million acres of the refuge have been proposed for wilderness designation, including most of the eastern, nonwithdrawn, portion, and the higher elevations of the withdrawn lands. These areas have been managed as de facto wilderness by the Fish and Wildlife Service since 1975, pending congressional action.

The original Executive order which established the military withdrawal stated the intention to return these lands to their prewar status and purposes.

However, the Air Force succeeded in having that language deleted from subsequent authorizing acts. The last congressional authorization of Air Force use of the Nellis Range lands expired in 1976.

As the mission of the Air Force has changed over the years since World War II, military activity on the refuge has intensified. An Air Combat Maneuvering Instrumentation Range was installed in the western sector in 1975.

The ACMI range, part of the new wave of electronic warfare projects, draws a lot of business, and the use of air space over the refuge has increased dramatically.

Substantial supersonic activity is associated with mock aircraft duels conducted in the ACM area. In 1977, the Air Force reported the occurrence of about 5,000 sonic booms. A significant portion, about 16 percent, of desert's low-elevation lands, below 3,600 feet, are used as target sites.

A 1976 memorandum of understanding between the Air Force and FWS is the most recent documentation of the two agencies' respective jurisdictional authorities and management rights.

Most importantly, FWS is given "primary jurisdiction" over all lands in the Desert NWR.

In addition, the MOU requires: One, altitude restrictions for military flights over the withdrawn refuge lands to a minimum of 2,000 feet above ground level, "within the limits practicability"; two, storage or removal of all abandoned Air Force materials, ordnance, and facilities; and, three, Air Force clearance for all FWS access to the western part of the refuge.

We think it is important to emphasize that while FWS may legally have primary jurisdiction, for all practical purposes the Air Force is currently running the show.

Perhaps most frustrating for the refuge manager, all management activities must be scheduled through the Air Force, sometimes as far as a year in advance. Any time refuge personnel need to go into the western portion of the refuge, whether on foot or by helicopter, they must ask permission.

When they need to run a routine census or check leaky water hole pipes they must take what time slot they can get, which is more often than not a weekend.

Unfortunately, natural resources management does not readily fit into neat Prussian time slots. Bad weather can interfere with scheduled helicopter runs, emergencies can arise, and FWS, which supposedly has primary authority over its lands, can only sit and wait for a go-ahead from the Air Force.

Altitude restrictions are not always adhered to, as the Air Force does not always find it "practical" to fly above 2,000 feet. On the eastern half of the refuge, for which the MOU guidelines do not apply, FAA regulations allow aircraft to fly down to 100 feet above ground level.

Refuge personnel and visitors have been "buzzed" numerous times by over-exuberant flight jockeys and trainees.

Clean up of target sites is haphazard. While the Air Force makes attempts at cleaning up its target bombing and strafing operations, the withdrawn refuge lands are littered with ordnance and abandoned targets.

What is more, target practice is not always limited to approved sites. A major bighorn water hole has been strafed three or four times, and the Corn Creek Field Station was once bombed out by pinpoint navigators, a dubious public relations move if there ever was one.

Our point is simple. The Air Force already has more than enough operating room. The bill before you would give the military "exclusive jurisdiction" over the lands withdrawn for its use. That is the real kicker.

H.R. 4932 also would allow the Secretary of the Air Force to determine the economic and practical feasibility of cleaning up the mess after another 25 years of military use; and would allow the lands to automatically remain under this exclusive jurisdiction is he decides he can't, or won't, clean them up.

Thus, 826,000 acres of national wildlife refuge lands would be effectively removed from the Refuge System without any further ado. In short, Mr. Chairman, FWS might as well pack up and go home now if this bill goes through.

We are not advocating that the Air Force pack up and leave, although in the best of all worlds, we might wish that they would. Rather, we believe that, with a few modifications, the basic status quo of the situation is a workable compromise and should be maintained.

Our suggestions are based on the assumption that the FWS be allowed to operate with continued legal and practical primary jurisdiction over its lands, including that area used by the Air Force.

First of all, we imagine that the Air Force budget is big enough to permit some extra expenditure of funds to better clean up the refuge portion of the Nellis Range.

These lands should be maintained in such a way that they could, at least theoretically, be returned to public use at some point in the future. Irreversible contamination of this area should not be permitted simply because the Air Force has no plans for ever giving up the land.

Second, we urge the Air Force to make good on its promise in the MOU to furnish FWS with aircraft for refuge management operations. Because the refuge is so vast and the terrain so rugged, most water hole inspections and wildlife censuses are carried out from the air.

A more cooperative spirit from the Air Force seems to be in order, since it is indeed using refuge lands free of rent and, apparently, free of any responsibility for ravaging them. This spirit of cooperation should also extend to scheduling FWS use of air space.

Third, we suggest that the MOU be amended to require the Air Force to cooperate and help fund a research program that will monitor and evaluate present and long-term effects of noise on bighorn sheep and other wildlife.

The environmental impact statement which was written when the land withdrawal first expired suggests that such a project be initiated. Almost no data is currently available to assess the impact that stress from noise may impose on both the population and individual level.

The refuge bighorn population appears to be stable now, but there is no assurance that in the not-so-distant future, the human impact on their habitat may not act synergistically with the stress of a disease outbreak or water shortage to push them into a decline.

The Sikes Act of 1960 provides a mechanism for cooperative wildlife management efforts between the military and resource agencies. Again, such cooperation on the part of the Air Force seems to us a small price to pay for use of two-thirds of a national wildlife refuge.

And finally, although it is beyond the purview of this committee, we want to again point out that extremely low Air Force flights over the eastern, nonwithdrawn portion of the refuge are permitted by current FAA regulations.

We hope that such activity will be curtailed, especially since this area is the only relatively untouched portion of the refuge. A 1974 Federal Aviation Administration advisory lists national wildlife refuges as typical noise-sensitive areas, in which low-altitude or supersonic activity should be avoided.

Being buzzed by a fighter plane in the backcountry is not most people's idea of a wilderness experience. The Fish and Wildlife Service has officially complained, to no avail, about the extension of permissible flight altitudes in the military operating area which overlays the refuge.

In conclusion, we urge that members of this committee take this opportunity, as they consider the best way to deal with the situation at hand, to designate as wilderness those refuge lands which were contained in President Ford's wilderness proposal almost 10 years ago.

There was strong public support for such a move then, as there is now, and the fragile natural resources at Desert NWR could certainly use your help now, more than ever.

Thank you.

Mr. SEIBERLING. Mrs. Hagood?

Ms. HAGOOD. I am Susan Hagood.

Thank you very much, Mr. Chairman, for the opportunity to appear before the committee to comment on H.R. 4932, a bill to withdraw and reserve for the Department of the Air Force lands within Desert National Wildlife Refuge, NV.

I am Susan Hagood, assistant director of the wildlife refuge project at Defenders of Wildlife. Defenders is a national, nonprofit conservation organization with approximately 65,000 members.

President Franklin D. Roosevelt established the Desert Game Range, now Desert National Wildlife Refuge, in 1936. Desert NWR is located in Nye, Clark, and Lincoln Counties in southern Nevada.

The primary reason for the establishment of this refuge was the protection and preservation of resident populations of Nelson's desert bighorn sheep, ovis canadensis nelsoni, and their ecosystem.

The Nellis Air Force Range includes approximately 3 million acres of Federal lands, some 826,000 of which are located in Desert NWR.

Since World War II, the Air Force and other armed services have conducted various military activities in and around Desert NWR, including bombing and rocket attacks on ground targets, firepower demonstrations and simulated battle conditions using a wide array of sophisticated electronic devices.

Limits are placed on the extent of military activities on desert lands, however, since this area is first and foremost a national wildlife refuge.

The Secretary of the Interior is constrained in entering agreements with other parties by the National Wildlife Refuge Administration, 16 U.S.C. S668dd, which states that all activities on a refuge must be compatible with the purposes for which it was established.

This act specifies that wildlife and its habitat are to receive primary consideration on wildlife refuges.

The Secretary is further constrained by the Code of Federal Regulations which reads:

> All national wildlife refuges are maintained for the primary purpose of developing a national program of wildlife and ecological conservation and rehabilitation. These refuges are established for the restoration, perservation, development and management of wildlife and wild lands habitat; and for the management of wildlife and wild lands to obtain the maximum benefits from these resources. 50 C.F.R. § 25.11(b).

A 1976 memorandum of understanding between the Department of the Interior and the Department of the Air Force correctly states that Interior has primary jurisdiction over lands within Desert NWR.

This MOU, while placing restrictions on military activities, allows liberal use of desert lands by the Air Force. Defenders would argue that current practices under this MOU strain the definition of compatibility and are arguably illegal.

H.R. 4932 would disrupt and deteriorate the refuge even more. For the reasons set down in the following pages, we oppose the bill as currently written.

H.R. 4932 should be amended to reaffirm the primary authority of the Fish and Wildlife Service.

H.R. 4932 withdraws additional lands from Desert NWR for Air Force purposes and gives the Secretary of the Air Force "exclusive jurisdiction over the management of the lands for military purposes."

The Secretary "may authorize use of the lands by other military departments and agencies of the Department of Defense and the Department of Energy."

The National Wildlife Refuge Administration Act and the primary authority granted the Department of the Interior in managing these lands will remain operative "except to the extent rendered necessary by national defense."

The language essentially grants primary authority to the Air Force in its use of Desert NWR lands. This language must be changed to reflect the current status quo as established by the various MOU's governing military use of these lands, and in particular the 1976 Fish and Wildlife Service FWS/DAF MOU.

H.R. 4932 should, therefore, be amended to delete the legal land descriptions in the bill and should be modified to expressly reaffirm FWS jurisdictional authority over the land and to ensure the compatibility of all Air Force activities with the refuge programs.

Amend H.R. 4932 to include wilderness designations. Amendments should also be added to this bill designating all qualifying lands in and around Desert NWR as wilderness.

These lands were recommended for addition to the National Wilderness Preservation System at the completion of studies in 1971.

Congressional consideration of this bill provides an excellent opportunity for the designation of these lands as wilderness, particularly in view of strong public desire for such a designation.

Amend H.R. 4932 to provide for cleanup of refuge lands.

Provisions should be added to this bill which establish that it is the responsibility of the Air Force, as a "temporary tenant" of these refuge lands, to remove the byproducts of their activities.

Specifically, H.R. 4932 should be amended to require that the Air Force conduct yearly cleanup of all exploded and unexploded ordnance on refuge lands for the protection of wildlife and the ecosystem.

Management of desert lands after expiration of MOU.

H.R. 4932 states in reference to Desert NWR lands under military use that, at the conclusion of such use:

> If the Secretary of the Interior declines to accept jurisdiction of such lands because of their contaminated state, the withdrawal created by this Act shall continue indefinitely and lands shall be retained and managed in accordance with the provisions of this Act.

The bill, therefore, gives the Secretary of the Interior the authority to dispose of a unit of the National Wildlife Refuge System. This is totally unprecedented.

Under the Refuge Administration Act:

> Each area which is included within the System on January 1, 1975, or thereafter, shall continue to be a part of the System until otherwise specified by Act of Congress.

Defenders strongly opposes this precedent-setting provision in H.R. 4932 which allows the Secretary of the Interior to dispose of national wildlife refuge lands.

The Air Force can, in effect, choose to contaminate Desert NWR because of its primary jurisdiction to the point where the Secretary of the Interior is allowed to make a decision not to retain it within the system.

Thank you, Mr. Chairman, for permitting defenders the opportunity to testify before this committee. We strongly recommend Air Force activity on Desert NWR be considered separately from other public land withdrawals as proposed in H.R. 4932.

The U.S. National Wildlife Refuge System is unparalleled throughout the world. It deserves the most rigorous protection from exploitation of the nature that this bill would permit.

H.R. 4932 would not only make Desert NWR unworthy of its designation, but would set a dangerous precedent and so undermine the strength of the entire refuge system.

Mr. SEIBERLING. Thank you.

It seems to me that all of these witnesses have made some excellent points, and this situation is much more complicated than was indicated by the Air Force when they first brought this to our attention.

I am very glad we have had this hearing, and it brought out some of these other issues, and I will now have to decide where we go from here.

I do not see any way we can possibly resolve all these issues in the time left in this Congress, even if we had nothing else to do, which certainly is not the case.

I guess we are going to have to resort to some kind of temporary solution, and impose some deadlines on the Air Force, and some requirements about doing the job right, which should have been done the first time.

Mrs. Vucanovich?

Mrs. VUCANOVICH. I would like to thank the members of the panel for coming and for their excellent testimony. Thank you very much.

Mr. SEIBERLING. There being no further questions, this hearing is adjourned.

[Whereupon, at 1 p.m., the subcommittee was adjourned.]

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ADDITIONS TO THE NATIONAL WILDERNESS PRESERVATION SYSTEM

Mississippi National Forest Wilderness Act of 1984
Georgia Wilderness Proposals

THURSDAY, SEPTEMBER 27, 1984

House of Representatives,
Subcommittee on Public Lands and National Parks,
Committee on Interior and Insular Affairs,
Washington, DC.

The subcommittee met, pursuant to call, at 10 a.m., in room 1324, Longworth House Office Building, Hon. John F. Seiberling (chairman of the subcommittee) presiding.

Mr. Seiberling. The subcommittee will please come to order.

This morning the subcommittee will hold a hearing on H.R. 5965, the Mississippi National Forest Wilderness Act of 1984 and on the RARE II wilderness proposals for the State of Georgia. I note that legislation covering both States has been reported from the Senate Agriculture Committee and is expected to pass the Senate shortly in the form of S. 2808 for Mississippi and S. 2773 for Georgia.

Given the short time remaining in the Congress, I believe our most appropriate method of considering the wilderness proposals will be to wait for Senate passage of the bills and to move for House acceptance of the Senate passed measures. I believe this will be possible because it is my understanding that the two bills are without controversy. However, I feel it is appropriate to hold this hearing this morning in order to give the Forest Service and other interested parties an opportunity to testify.

Before turning to our Forest Service witness, I would like to briefly describe the proposals of the two measures under consideration:

H.R. 5965 and S. 2808, the Mississippi bills, propose two wilderness areas in Mississippi, the first onshore wilderness in the State. The proposed 4,560-acre Black Creek is identical to the proposal which passed the House in 1980, and the 940-acre Leaf area was also recommended by the Forest Service in RARE II.

S. 2773, the Georgia bill, would designate additions to the existing Ellicott Rock Wilderness on the Georgia-North Carolina-South Carolina border and a Georgia addition to the existing Southern Nantahala Wilderness in North Carolina. I was fortunate to be able to view the Southern Nantahala area during our 1979 field inspection trip to North Carolina, and was very impressed with the area's scenic mountain terrain and cascading waterfalls.

Before we proceed, Mr. Emerson, do you have any opening remarks?

Mr. **Emerson**. No opening remarks.

Mr. **Seiberling**. Thank you. Without objection then, we will have a copy of the bill, H.R. 5965, printed at this point in the record.

[The bill, H.R. 5965, follows:]

98TH CONGRESS
2D SESSION

H. R. 5965

To designate certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 28, 1984

Mr. LOTT, introduced the following bill; which was referred jointly to the Committees on Interior and Insular Affairs and Agriculture

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A BILL

To designate certain National Forest System lands in the State of Mississippi as wilderness, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mississippi National Forest Wilderness Act of 1984".

SEC. 2. (a) In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131–1136), the following lands in the State of Mississippi are hereby designated as wilderness and, therefore, as components of the National Wilderness Preservation System.

(1) Certain lands in the Desoto National Forest, Mississippi, which comprise approximately four thousand five hundred and sixty acres, as generally depicted on a map entitled "Proposed Black Creek Wilderness", dated January, 1979, and which shall be known as the Black Creek Wilderness;

(2) Certain lands in the Desoto National Forest, Mississippi, which comprise approximately nine hundred and forty acres, as generally depicted on a map entitled "Proposed Leaf Wilderness", dated January, 1979, and which shall be known as the Leaf Wilderness;

(b) Subject to valid existing rights, the wilderness areas designated under this section shall be administered by the Secretary of Agriculture (hereinafter in the Act referred to as the Secretary) in accordance with the provisions of the Wilderness Act governing areas designated by that Act as wilderness, except that any reference in such provisions to the effective date of the Wilderness Act (or any similar reference) shall be deemed to be a reference to the date of enactment of this Act.

(c) As soon as practicable after enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated under this section with the Committee on Interior and Insular Affairs and the Committee on

Agriculture of the House of Representatives and with the Committee on Agriculture, Nutrition, and Forestry of the United States Senate. The map and description shall have the same force and effect as if included in this Act, except that correction of clerical and typographical errors in the legal description and map may be made. The map and legal description shall be on file and available for public inspection in the Office of the Chief of the Forest Service, United States Department of Agriculture.

SEC. 3. (a) The Congress finds that—

(1) The Department of Agriculture has completed the second roadless area review and evaluation program (RARE II); and

(2) The Congress has made its own review and examination of National Forest System roadless areas in the State of Mississippi and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that—

(1) without passing on the question of the legal and factual sufficiency of the RARE II final environmental statement (dated January 1979) with respect to National Forest System lands in States other than Mississippi, such statement shall not be subject to judicial

review with respect to National Forest System levels in the State of Mississippi;

(2) with respect to the National Forest System lands in the State of Mississippi which were reviewed by the Department of Agriculture in the second roadless area review and evaluation (RARE II) and those lands referred to in subsection (d), that review and evaluation or reference shall be deemed for the purpose of the initial land management plans required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976 (Public Law 94-588) to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revisions of the plans, but shall review the wilderness option when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless, prior to such time the Secretary finds that conditions in a unit have significantly changed;

(3) areas in the State of Mississippi reviewed in such final environmental statement or referenced in subsection (d) and not designated wilderness upon en-

actment of this Act shall be managed for multiple use in accordance with land management plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976: *Provided*, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial land management plans.

(4) in the event that revised land managment plans in the State of Mississippi are implemented pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law.

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Mississippi for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, the term "revision" shall not include an "amendment" to a plan.

(d) The provisions of this section shall also apply to:

(1) those national forest roadless lands which were evaluated in the Delta Unit dated February 1976; and

(2) national forest roadless lands in the State of Mississippi which are less than five thousand acres in size.

Mr. **Seiberling**. Mr. Beasley, welcome, as always.

[Prepared statement of Hon. J. Lamar Beasley may be found in appendix IV.]

STATEMENT OF J. LAMAR BEASLEY, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE

Mr. **Beasley**. Thank you, Mr. Chairman, members of the committee. I am pleased to be able to present the administration's views on the Mississippi bill and the RARE II aspects of Georgia.

Mr. Chairman, with your permission, I would summarize my brief statement and ask that the entire statement be placed in the record.

Mr. **Seiberling**. Without objection, you entire statement will be placed in the record. You may proceed.

Mr. **Beasley**. I will first comment on H.R. 5965, the Mississippi National Forest Wilderness Act of 1984. This bill would designate two wilderness areas, Black Creek and Leaf, totaling approximately 5,500 acres. We recommend that H.R. 5965 be enacted. Both of these areas were recommended for wilderness during RARE II and we continue to support their designation. The bill does contain the Senate-House compromise release language which we support.

I will next comment on the RARE II wilderness proposals for the State of Georgia. Through RARE II, five areas were recommended for wilderness designation: Southern Nantahala, Ellicott Rock Extension, Raven Cliff, Brass Town, and Wolf Pen, totaling approximately 39,700 acres. Six areas were identified for further planning: Blood Mountain, Chattahoochee River, Tray Mountain, Hemp Top, and Rich Mountain, totaling approximately 93,100 acres.

An additional 15 areas totaling about 85,000 acres were identified for uses other than wilderness.

The further planning areas and other roadless areas are being studied for multiple use, including wilderness, during the forest planning that is currently underway.

Mr. Chairman, that concludes my prepared statement. I will be pleased to respond to questions which the committee might have.

Mr. **Seiberling**. How many acres are in the Georgia bill in the Senate, do you know?

Mr. **Beasley**. The two areas, the Southern Nantahala and Ellicott Rock Extension which include 12,439 acres for Southern Nantahala and 2,000 for Ellicott Rock extension totaling 14,439 acres.

Mr. **Seiberling**. What happens to the rest of what you recommended?

Mr. **Beasley**. They are being considered in the forest plan and there will be a recommendation or decision made as an outcome of the plan.

Mr. **Seiberling**. So they would not be released as would the other areas that were not recommended, is that correct?

Mr. **Beasley**. Through forest planning if it were determined that they were not wilderness candidate areas, then they would be released.

Mr. **Seiberling**. They wouldn't be covered by the statutory release language. It says they shall not be considered as wilderness characteristics until the next planning cycle, or need not be, I guess is the word?

Mr. **Beasley**. The way the Senate bill is written, Mr. Chairman, it states that they will be reviewed in the forest plan for all multiple uses, including wilderness. So that analysis in the forest plan will cover wilderness as well as the other uses.

Mr. **Seiberling**. In other words, they will be exempt from logging or mineral leasing or whatnot until at least the forest plan is complete?

Mr. **Beasley**. That is correct.

Mr. **Seiberling**. That is what I wanted to know.

The 940-acre Leaf Wilderness in Mississippi, how is this going to be delineated? It is a rather small area. It is not an island I take it, so therefore it isn't what we would usually designate as a wilderness area, being that small.

Mr. **Beasley**. Mr. chairman, we do have a map here that is rather small, so we might have to bring it closer. The Leaf area is a small rectangular area. It would have to be marked on the ground. There are some topographic features, but it would require a boundary designation in order to be able to identify it on the ground.

Mr. **Seiberling**. Is this a kind of watery swamp or what?

Mr. **Beasley**. Mr. Chairman, it has some uplands in it. It also has some hardwood bottoms, creeks, sloughs, bluffs, and one oxbow lake. It would be principally the creeks and sloughs. You can see from the topographic map there is a stream that flows through it. There is a lake in it—Horseshoe Lake. It would be typical Mississippi topography.

Mr. **Seiberling**. What is the reason for protecting an area that is so small?

Mr. **Beasley**. It has a lot of interest, local interest. It is felt there should be some wilderness in the area and then also, it is valuable for certain wildlife species, including deer, turkey, and squirrel.

Mr. **Seiberling**. Well, I can see where it makes some sense to preserve an example of a natural ecosystem that probably typifies what was formerly a much larger system. I notice that to the north there is an area called Black Lake and another called Swain Lake and to the east is a river. Why weren't those areas included in the proposal?

Mr. **Beasley**. I don't have all the specifics, Mr. Chairman, but there has been management activity adjacent to this area. There are some roads if you go a few sections north, and this area was delineated as the one which would best represent a wilderness area. In addition to that, there are private lands on two sides of the area.

Mr. **Seiberling**. I see. In other words, it appears from the map also that those other areas are not in the national forest?

Mr. **Beasley**. That is correct.

Mr. **Seiberling**. If the Nature Conservancy or some group like that were to buy some of these adjacent areas, would it be worthwhile to try to protect and give a bit more space to what is really quite a small area?

Mr. **Beasley**. I think it would certainly be desirable to look at that option.

Mr. **Seiberling**. We might want to bring that to their attention. They might want to look into that. They have done a pretty good job of preserving samples of wild areas all over the country, including my State. They are particularly strong on swamps, and what we now call wetlands. I think we recognize they have a natural and scientific value.

Well, thank you.

I just have one other question which is unrelated to this though I am going to yield to my colleague Mr. Emerson.

Mr. **Emerson**. No questions.

Mr. **Seiberling**. Thank you.

Mr. Beasley, on another matter, taking advantage of your presence here, as you may be aware the House will probably be receiving the Texas Wilderness bill from the Senate in the near future in somewhat amneded form. The primary change will be that the House mandated land exchange has been replaced by language encouraging the Forest Service to change and exchange.

It is my understanding the Forest Service does intend to diligently pursue the exchange? I just wanted to confirm that fact is possible.

Mr. **Beasley**. Mr. Chairman, I can assure you we will. We already have some of those underway and we will continue to pursue them. It would be in our best interests to do that.

Mr. **Seiberling**. I think that is a very good solution and I appreciate your willingness to proceed, because it wouldn't make much sense to have those inholdings.

All right, thank you very much.

If there are no other people here who want to testify on these bills, this hearing is adjourned.

[Whereupon, at 10:10 a.m., the subcommittee was adjourned.]

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APPENDIX I

THURSDAY, MAY 10, 1984

ADDITIONAL MATERIAL SUBMITTED FOR THE HEARING RECORD

TESTIMONY OF THE HON. TIMOTHY E. WIRTH
2ND DISTRICT - COLORADO

PRESENTED TO THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS
COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
U.S. HOUSE OF REPRESENTATIVES

HEARINGS ON H.R. 5426 AND H.R. 5470
COLORADO WILDERNESS ACTS OF 1984

Washington, D.C.
May 10, 1984

Mr. Chairman, in the brief time that I have with you today, I would like to draw some general observations about the important questions impacting Colorado on which you meet, and to briefly speak to the competing legislation the subcommittee has before it today.

At the outset, I must commend you and the entire subcommittee on the speed at which you have taken up these proposals. You have provided significant leadership on the questions concerning Colorado public lands in the past, and I look forward to working with you and the other subcommittee members on the proposals pending before this body now.

I am proud to have had the opportunity to introduce H.R. 5470, the Colorado Wilderness Act of 1984. I firmly believe that this legislation provides us with the opportunity to move towards final determination on the status of virtually all of the 18 Colorado wilderness areas and additions set aside by the Congress in the passage of the 1980 Colorado Wilderness Act, including:

12 areas designated as Wilderness Study Areas, and

6 Further Planning Areas identified during the Roadless Area Review and Evaluation (RARE II) process for further study for possible inclusion in the National Wilderness Preservation System.

My legislation also provides, in a few cases, for the initial consideration of Colorado wilderness lands presently administered by the Bureau of Land Management. Many of the final recommendations on BLM wilderness lands in Colorado remain incomplete. But I believe that those for which we do have information merit careful examination now.

H.R. 5470 calls for:

Creation of ten new wilderness areas and modifies and expands boundaries on seven existing areas within Colorado;

Would create a total of approximately 733,000 acres of new wilderness in the State.

Mr. Chairman, there is as yet no complete consensus among the Colorado Congressional delegation on a final wilderness bill for the State in 1984. But, I believe that H.R. 5470 does provide us a real opportunity for this body and the Congress to consider the entire gamut of wilderness options pending before us. Nowhere is this more important than in regard to the 6 Further Planning Areas set aside in the 1980 legislation. As this body knows, the Rocky Page Mountain Region of the Forest Service is among the nation leaders in the release of the Congressionally-mandated 50 Year Forest Resources Management Plans. Provisions of the enabling legislation under which such plans are drawn provide that an area contained in Further Planning status be released for multiple use management if no wilderness determination has been reached at such time as the final Record of Decision is signed on the relevant forest plan. Given the pace at which these final plans are now emerging in Colorado, it is appropriate to look at all of the FPAs in the State now and not allow a de facto non-wilderness decision to be made simply because the Congress fails to consider any particular proposal.

As the Members know, H.R. 5470 is identical to the companion legislation introduced last fall in the Senate by Colorado Senator Gary Hart. I am delighted to join with my Senate colleague in offering this companion proposal to his legislation, S. 2032, and would at this time like to enter into the Hearing Record a statement on behalf of Colorado wilderness from Mr. Hart.

The proposed boundaries contained in H.R. 5470 will, of course, be the subject of intense scrutiny and continued public debate. While I firmly believe that there are very compelling reasons favoring H.R. 5470's boundaries in each of the proposed areas, I want to empahsize from the outset that this proposal should be considered as a starting point for further debate and consideration among all Members and, most importantly, among all concerned and affected Coloradans. While the boundaries in this instance have been carefully crafted so as to minimize potential conflicts with other land use options, conflicts will nevertheless continue to rise. Such is, of course, the essence of the wilderness consideration and I trust all here today would agree that, wherever possible, accomodation and reconciliation of conflict must continue to guide our deliberations.

Today, you will hear from many expert Coloradans, each representing diverse viewpoints and perspectives both pro and con for these new proposed wilderness areas. I want to emphasize that the important point to consider today is that now we are presented with the opportunity to have all of these viewpoints on the table. Once we can assess that sentiment and the new information likely to be brought forward today, we then can move to the real challenge -- crafting a final House bill which will serve Colorado and which Colorado can support -- conservationists, industry, and local governments alike.

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With that looming challenge in mind, let me look first to the underlying principles which guided the development of S. 2032 and H.R. 5470, and then turn, in the time remaining to me, to the questions of individual areas.

First, and foremost, there is little, if any, sentiment within the State or the Colorado delegation for upsetting the very delicate balance we achieved in the 1980 legislation concerning the issues of:

- release language for non-designated areas;
- agreements as to adequacy of the RARE II process and the related assessments of each possible area;
- and the agreements governing grazing, insect control efforts and the inappropriateness of creating buffer zones around existing areas.

Second, balance must remain the essence of all public policy considerations -- and nowhere in Colorado is that need more pronounced than in the questions surrounding the long-range use of our state's public lands. Balance must be our goal everywhere -- balance in the use and preservation of our lands which allows for the wisest development of our great natural wealth and the foresight to preserve our most precious natural treasures.

I spoke earlier to the balance which we strove to achieve in crafting the boundaries of this proposal. Again, I emphasize that conflicts undoubtedly do remain. But I also emphasize that Colorado's 11 National Forests are vast enough to accomodate a multitude of uses. In H.R. 5470, we are presented with that option. Through this proposal, I believe that the Congress and Colorado can take the steps necessary to once again provide for protection of our most magnificent lands without any undue lock-up of our state's water, mineral, range, timber, oil, gas and alternative recreational resources. To be sure, in many cases proposed within H.R. 5470, claims that resources have been somehow locked away can be made -- but those very same resources do exist in other areas of our vast public lands resources and more than ample opportunity for development of those resources can be pursued without sacrificing our precious natural heritage.

Third, we proceed with due recognition of the crucial importance of recreation and tourism to a vital and healthy Colorado economy. The importance of tourism to Colorado can not be understated. Now one of the State's top two industries, tourism alone returned some $3.9 billion dollars to the State's economy in 1983.

That figure does not even begin to include all the added revenues generated as a direct result of intrastate recreation. Whether a trip originates in Rifle, Denver, Boulder, or Durango, the recreationist must outfit him or herself, pay the appropriate license fees, travel to and from their destination, and provide for stopover food and lodging. All along the way, the economic spin-offs create jobs and local revenues througout the state. And from that we can only draw one conclusion -- recreation and wilderness are economic winners in Colorado.

Fourth, we must face up to the fact that the decisions we reach now on further Colorado wilderness will have far-reaching implications for the future recreational opportunities in the State. We must act with all due diligence today to provide for that future -- not only for the preservation of these lands for generations to come, but also for the very real need to provide for the continued growth of demand for wilderness throughout Colorado.

According to the 1981 USFS Draft Regional Plan for the Rocky Mountain Region, demand for wilderness in Colorado is increasing at a rate somewhere around 7% per year. At that current rate of growth, it is estimated that our present wilderness areas will reach total carrying capacity within thirteen years.

Remember that this 7% growth rate in demand is but a statewide average. On some forests, demand growth far exceeds that figure. No where is that more vividly demonstrated than within the Denver-Boulder area on the Arapaho-Roosevelt Forest. The Members are well aware that one of the real gems of the Arapaho-Roosevelt is the Indian Peaks Wilderness Area which sits astride my own District and that of my colleague, Mr. Kogovsek. The Draft Arapahoe-Roosevelt Forest Plan estimates that the entire forest's wilderness system could reach its capacity as soon as 1986, and we can already see the impacts of reaching capacity on the eastern side of Indian Peaks. Indeed, use has ballooned so rapidly since initial wilderness designation in 1978, that the USFS is now moving toward the final stages of implementing Colorado's first non-National Park permit system on that area.

This Subcommittee played a key role in helping to create the Indian Peaks Wilderness Area in 1978 — and you provided the guidance to provide for preservation of further Colorado lands in 1980. One of the goals we sought to meet then — a goal which holds ever-increasing currency today — was to meet the increasing needs of the burgeoning Denver area. Wilderness in close proximity to Denver is essential and H.R. 5470 provides the next steps in meeting that need.

In looking at the entire State, we must also be sure not to forget that Denver-Boulder is certainly not the only growth area deserving of enhanced wilderness opportunities. The increasing demands of the southern front range and the western slope also merit careful attention. Those regions, of course, contain Colorado's most spectacular natural wonders. So too do they contain increasing numbers of local populations which want not only to preserve their treasures for future generations, but to also have the options for meeting their escalating local needs for wilderness as well.

Finally, we must act to continue to seek out new opportunities for increasing the diversity of the ecosystems represented in Colorado's wilderness network. H.R. 5470 provides for that enhanced diversity, and I look forward to discussing each of those possibilities in greater depth with each of you.

Mr. Chairman, my staff is currently putting the final touches on brief, one-page summaries of the overall wilderness qualities of each of the areas proposed in H.R. 5470. In addition, I have asked them to develop these briefing sheets to identify specific resource conflicts which are evident in our considerations and, last, to prepare a brief section on the boundary differences in areas jointly proposed in the two competing bills before us. With your permission, I would ask that the Hearing Record be left open for the inclusion of those materials, and I will certainly be forwarding them to each of the Members and staff.

That concludes the formal portion of my testimony. Let me close by once again commending you and the Subcommittee for your quick action. Today is the first step in what I hope will prove to be a fruitful and importnat process for Colorado and the nation.

Statement of Senator Gary Hart
Subcommittee on Public Lands and National Parks
House Committee on Interior and Insular Affairs
May 10, 1984

Mr. Chairman, thank you for the opportunity to submit testimony today as the Subcommittee begins consideration of Colorado wilderness areas. I commend you for starting the important process by which decisions will be made on the future of some of the most spectacular Federal lands in Colorado's Rocky Mountains.

As you will recall, in 1980 Congress considered and approved legislation adding 1.4 million acres to the wilderness system in Colorado. The Colorado delegation, including those present today, demonstrated a spirit of cooperation in developing this historic legislation. Among the many accomplishments was development of so-called release language which serves today as a model for many wilderness bills presently before the Congress.

The 1980 Act brought the total wilderness acreage in Colorado to nearly 2.6 million acres. In addition, the 1980 Act established 12 Wilderness Study Areas (WSA's) and retained 6 Further Planning Areas (FPA's). The Forest Service was directed to study these areas in the ensuing three years to determine their suitability for wilderness or other uses. The Forest Service has completed its final recommendations for 11 areas and the remaining 7 will soon be final.

The legislation before this Subcommittee today is necessary to complete designation of the areas set aside for further study in 1980.

I believe it important that Congress consider all of these areas on their merits. This will protect the most magnificant of those lands which are for the most part unspoiled by human intrusion. It also leaves those lands with the most promising economic potential free for nonwilderness uses.

Mr. Chairman, this legislation today is a starting point for all interested parties to express their views on areas which should or should not be included in the wilderness system in Colorado. The process which you are beginning today will enable us to strike a careful balance between the many competing interests in public lands. Nowhere is the pursuit of balance more important than in deciding how best to manage Colorado's public lands.

I continue to be impressed by how important our unspoiled mountain areas are to most Coloradans. Our state is impressive in many respects, but most people think first of Colorado's mountains when they think of our state. As our cities become more crowded and as competition for diminishing natural resources increases, the relatively few untouched areas become ever more important to people. This has been proven by increasing use of our mountains for recreation and by the growing pressure to protect additional areas while they are still pristine.

Fortunately, our public lands are vast enough that preserving additional untouched and pristine areas in the state will not prevent us from meeting other needs including energy, water and mineral development.

I believe the process the Subcommittee begins today important to all Coloradans and to those who visit our state. I look forward to working with the Colorado delegation and members of the House in coming weeks as Congress considers and approves wilderness legislation for the state of Colorado.

Mr. Chairman, thank you for the opportunity to submit testimony today.

STATEMENT OF
RAYMOND M. HOUSLEY, DEPUTY CHIEF
FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands and National Parks
of the House Interior and Insular Affairs Committee

Concerning H.R. 5426 and H.R. 5470
Bills Concerning the Establishment of Wilderness in Colorado

May 10, 1984

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

We appreciate this opportunity to appear before the Subcommittee to offer the Department of Agriculture's views on H.R. 5426 and H.R. 5470, bills "To designate certain additional national forest lands in the State of Colorado as components of the National Wilderness Preservation System."

These bills are sequels to the Colorado Wilderness Act of 1980, P.L. 96-560, one of the first statewide wilderness bills following the Second Roadless Area Review and Evaluation. There are at present 2.6 million acres of wilderness in the State of Colorado, all in the National Forest System land except 55,000 acres of National Park in four separate units. Of the 2.6 million acres of existing wilderness, 1.4 million acres were classified by the 1980 legislation.

Provisions of H.R. 5426 and H.R. 5470

H.R. 5426 would designate five new wildernesses and would add to three existing wildernesses for a total of 372,500 acres in the State of Colorado. The bill has a provision for adjusting the boundaries of two existing wildernesses.

H.R. 5470 would designate 12 new wildernesses and would make additions to five existing wildernesses for a total of 735,000 acres, including approximately 45,000 acres administered by the Bureau of Land Management. This bill provides for the transfer of approximately 1,500 acres from the Department of the Interior to the Department of Agriculture to be administered as a part of the Uncompahgre National Forest's Big Blue Wilderness. An additional provision of the bill would require that the Williams Fork Further Planning Area on the Arapaho National Forest be managed to maintain its existing wilderness character with the exception that rights of the Denver Water Board would not be affected.

Requirement for Wilderness Study and Further Planning

The intent of Congress to consider additional National Forest System lands for wilderness in Colorado was expressed in:

(1) The Endangered American Wilderness Act of 1978, P.L. 95-237, which required that 8,000 acres in Spruce Creek on the White River National Forest be studied for its wilderness suitability, and in (2) The Colorado Wilderness Act of 1980, P.L. 96-560, which required that 11 areas totaling 491,872 acres be studied for wilderness suitability and required that the Second Roadless Area Review and Evaluation (RARE II) roadless areas identified as further planning but not designated as wilderness by the 1980 Act, remain in that further planning category pending completion of the plans being prepared under the National Forest Management Act. Approximately 169,600 acres are in this category. In total, therefore, approximately 661,500 acres of National Forest were still subject to additional wilderness suitability review and evaluation after enactment of P.L. 96-560 in 1980.

Other RARE II roadless areas not included in either wilderness study or remaining in further planning were declared to be adequately considered for wilderness suitability. These lands are not subject to management constraints for the purpose of protecting their wilderness suitability through the period of the initial land management plans.

Status of the Study

The wilderness study required by P.L. 95-237 for Spruce Creek was completed and forwarded to Congress in September 1982. As a result of that study, the Spruce Creek area was recommended for wilderness designation. This proposed wilderness is included in both H.R. 5426 and H.R. 5470. The wilderness studies required by P.L. 96-560 for 11 roadless areas and for six RARE II further planning areas have not yet been fully completed. It is our strong preference to complete this planning before further consideration by the Congress of additional wilderness classifications in Colorado.

The Oh-Be-Joyful Wilderness Study is very nearly complete. We expect that it will be forwarded to the Congress within the next month. Of the 16 other wilderness studies, all are being conducted as part of the Forest planning process. Ten are included in Final Forest Environmental Impact Statements and six have been included in Forest Plan Draft Environmental Impact Statements; for the latter, the final statement will be prepared in the next few months. After the Final Environmental Impact Statement is filed for Forest plans, the study report, legislative EIS, and recommendations will be prepared for designated study areas and transmitted to the Congress. For the further planning areas a study report and legislative EIS will be prepared and transmitted to the Congress only for those areas recommended for wilderness.

A final wilderness recommendation has been made only for Spruce Creek. Nevertheless, in order to be responsive to the Committee's request for comments on H.R. 5426 and H.R. 5470, we are offering our tentative evaluations of the areas in question. We would emphasize, however, these are only tentative determinations and until submitted to the Congress there may be adjustments or changes.

Of the 12 wilderness studies required by Congress, all or parts of six areas have been found to be at least tentatively suitable for wilderness. Those study areas in this category are: Sangre de Cristo-(188,400 ac.), Greenhorn Mountain-(22,330 ac.), Piedra-(41,500 ac.), West Needle-(20,340 ac.), Vasquez Peak-(12,800 ac.), and again Spruce Creek-(8,000 ac.) for a total of 293,370 acres. H.R 5426 proposes five of these six study areas for wilderness designation. H.R. 5470 proposes wilderness designation of all six areas.

Three further planning areas have been tentatively identified as suitable for wilderness inclusion. These are the Cannibal Plateau-(13,600 ac.), Davis Peak-(8,100 ac.), and Service Creek-(39,860 ac.) for a total of 61,560 acres. H.R. 5426 would designate only Service Creek as wilderness. H.R. 5470 would designate all the further planning areas, except Williams Fork, as wilderness.

Tentatively, the following areas have been found to be not suitable for wilderness: Fossil Ridge, Oh-Be-Joyful, Wheeler Geologic, Spanish Peaks, San Juan Expansion, Lost Creek, St. Louis Peak, Williams Fork, and Buffalo Peaks. Of these, H.R. 5426 would designate the Oh-Be-Joyful and Spanish Peaks areas, while H.R. 5470 would designate all except Williams Fork.

Recommendations

If the Congress determines it should proceed before completion of the studies now in progress, we could support only those wilderness proposals for areas tentatively identified as suitable in the planning process to date. H.R. 5470 proposes eight wildernesses which our study tentatively indicates are not suitable. H.R. 5470 also proposes wilderness additions of areas released by the Colorado Wilderness Act of 1980. We do not support these additions. We also oppose the proposal that the Williams Fork Roadless Area be managed to protect its wilderness suitability indefinitely. To the extent the wilderness proposals of H.R. 5470 go beyond what our tentative wilderness study suitability analysis supports, we must oppose that bill.

On the other hand, H.R. 5426 proposes only two wildernesses which our studies indicated are not suitable. H.R. 5426 also includes some acreage not within the area identified for study. With amendments to delete Oh-Be-Joyful and Spanish Peaks, some boundary adjustments, and incorporation of appropriate release language, we would not oppose enactment of H.R. 5426. We have not had the opportunity to review the revised boundaries for the two existing wildernesses and cannot comment on these at this time.

In summary, we would prefer to complete the process prescribed by the Congress in the Colorado Wilderness Act of 1980 before making final recommendations on either the designated study or further planning areas. We anticipate this process will be complete in a matter of months. Failing that, we would not object to enactment of legislation classifying as wilderness those areas our studies to date show to be tentatively suitable.

We appreciate the opportunity to offer our views on these bills. I would be pleased to answer questions concerning our report.

STATE OF COLORADO RICHARD D. LAMM, Governor
DEPARTMENT OF NATURAL RESOURCES
DAVID H. GETCHES, Executive Director
1313 Sherman St., Room 718, Denver, Colorado 80203 866-3311

Geological Survey
Board of Land Commissioners
Mined Land Reclamation
Division of Mines
Oil and Gas Conservation Commission
Division of Parks & Outdoor Recreation
Soil Conservation Board
Water Conservation Board
Division of Water Resources
Division of Wildlife

May 11, 1984

Honorable John F. Seiberling
Chairman, Subcommittee on
Public Lands and National Parks
Committee on Interior and Insular Affairs
U.S. House of Representatives
Washington, D.C. 20615

Dear Mr. Seiberling:

I appreciate the opportunity to appear before your Subcommittee on Public Lands and National Parks to testify on the Colorado Wilderness Bills, H.R. 5426 and H.R. 5470. As promised, I am submitting a text of my testimony. Because of some confusion caused by my answers to questions relating to acquisition of inholdings, I am submitting an addendum to my testimony and request that it be included in the records.

Sincerely,

DAVID H. GETCHES
Executive Director

DHG:car
Enclosure
cc: Congressman Ray Kogovsek
Congressman Timothy Wirth

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Addendum to Testimony of David H. Getches on May 10, 1984

Some confusion may have been engendered by my comments and answers to questions from the Subcommittee concerning my testimony on the acquisition of state land inholdings in wilderness areas. Let me clarify my position on the subject.

1. When Congress should require in Colorado wilderness legislation that land management agencies attempt to acquire inholdings of state lands in wilderness areas through land exchanges or negotiated purchases. Although some questions dealt with private lands, the thrust of my testimony was directed at state inholdings.

2. Any time the federal government is unsuccessful in obtaining inholdings, state or private, because the seller is unwilling or a price cannot be agreed upon, the only way the land can be acquired by the United States is through condemnation.

3. Ordinarily condemnation is unnecessary and undesirable in the establishment or management of a wilderness area.

4. Only if a parcel is essential for management of an area would condemnation be proper or in the interest of the state or the nation (and under the Wilderness Act no condemnation within the area could occur after designation).

5. No provision allowing condemnation of inholdings should be included in the Colorado Wilderness Act.

Testimony of David H. Getches
before the Subcommittee on Public Lands and National Parks
of the Committee on Interior and Insular Affairs
on Colorado Wilderness Bills
H.R. 5426 and H.R. 5470

May 10, 1984

Chairman Seiberling and members of the Committee, I am David H. Getches, Executive Director, Colorado Department of Natural Resources. Thank you for the opportunity to present testimony to the Subcommittee on Public Lands of the House Interior Committee on the Colorado wilderness bills (H.R. 5426 and H.R. 5470). I present this testimony on behalf of myself, Governor Richard D. Lamm and the State of Colorado.

We are proud that Colorado was at the forefront of wilderness designation. Fortunately we have avoided the acrimony and wasteful litigation that has plagued many states following the RARE II process. Aggressive bipartisan work by our congressional delegation on legislation sponsored by Congressman Ray Kogovsek led to decisive action by Congress on the 1980 Colorado Wilderness Act. That Act designated 1.4 million acres of wilderness in our state. It also designated 12 wilderness study areas and six further planning areas. Those areas have been studied by the United States. The state has participated in studying them as well. Representatives of the Department of Natural Resources and the Governor's Office have viewed most of the sites. There has been consultation with representatives of diverse interests

-- recreational, agricultural, mining, local government, ranching, oil and gas, and environmental. Together with Senator Gary Hart and his staff we were able to determine and adjust appropriate boundaries to be recognized for wilderness area designation. We have satisfied ourselves that the sites I will mention today succeed in striking an appropriate balance between many competing interests.

We believe that a little more than 730,000 acres should be designated as wilderness. Admittedly this is some 470,000 acres less than conservation groups urged. And it eliminates entirely one area mandated for study by the 1980 bill -- Williams Fork -- because of the potential interference with development of private water rights. But in all cases, we think that the boundaries set assure maximum protection of wilderness while allowing reasonable development, especially as it relates to existing rights. The state reached full agreement on all areas that were ultimately included in Senator Hart's wilderness bill, S. 2032. These carefully defined areas were the result of extensive research on the ground, investigation, and compromise.

The stage is now set for finishing the job begun four years ago. We are delighted that Congressman Kogovsek and Congressman Wirth have made wilderness designation a priority on their legislative agenda.

Roderick Nash in Wilderness in the American Mind wrote that "wilderness was the basic ingredient of American civilization. From the raw materials of the physical wilderness America built a civilization; with the idea or symbol of wilderness they sought to give that civilization meaning." We have come a long way from the contempt expressed by William Bradford when he described what he saw as he stepped off the Mayflower as a "hideous and desolate wilderness." One of the first to seek out wilderness for its attractive mysteries and beauties was de Toqueville who observed in 1831 that Americans are "insensitive to the wonders of inanimate nature," interested only in subduing it. But after the frontier closed, Americans' attitudes eventually changed to widespread appreciation and attraction for wilderness. Nash says that wilderness appreciation "represents one of the most remarkable intellectual revolutions in the history of human thought about land."

Wilderness now enjoys such tremendous popularity that it is becoming scarce. This is especially apparent in Colorado where recreation is so vitally important. As enthusiastic crowds seek the splendid treasures of the wilderness, they threaten to use up this non-renewable resource. Thus, expanding the areas in Colorado subject to protective wilderness management is essential.

Colorado is growing rapidly in population. Recreation is our second largest industry with over 447 million recreation visitor days expected next year. High tech thrives in the state, but there is an increasing tendency for people to seek out primitive forms of recreation. John Naisbitt, in Megatrends, offers an explanation for this. He says that we are experiencing the evolution of a highly personal value system in an attempt to compensate for the impersonal nature of technology all around us. As long ago as 1950 George W. Kelley, as President of the Colorado Forestry and Horticultural Association, testified that "wilderness areas have become a spiritual necessity, an antidote to the strains of modern living." As the material wonders of technology skyrocket, so does the need to balance the spiritual demands of our human nature. Never has the need been greater in Colorado.

Today the State of Colorado supports the addition of eight extensions to existing wilderness in Colorado and the establishment of nine new wilderness areas. All the areas should be subject to the existing provisions of the 1980 Colorado Wilderness Act. Each proposed site is unique within its proposed boundaries and each provides a special retreat for those who want or need a wilderness experience, or for those who benefit just from knowing it is there.

First, I will describe the several proposed additions to existing wilderness areas.

Davis Peak Further Planning Area.

The 22,340 acres of this area north of the popular recreation area of Steamboat Springs is a logical addition to the Mount Zirkel Wilderness. The proposed addition contains several trails which will spread out uses and impacts on this heavily used wilderness. The lower elevation ecosystem with its numerous open parks will complement the existing rugged, alpine wilderness.

Lost Creek Further Planning Area.

The 11,000 acre addition to the existing Lost Creek Wilderness would provide necessary expansion of a popular, now over-utilized low-elevation wilderness area within an hour's drive southwest from Denver. The area is one of the few places to hike and enjoy the wilderness experience during spring and fall months when high elevation areas are inaccessible because of snow. The massive colorful out-croppings of huge boulders in the Lost Creek area make the trip here an unusual and unforgettable scenic wilderness experience.

Oh-Be-Joyful Wilderness Study Area.

The addition of 5,500 acres just north of Crested Butte in Gunnison County to the Raggeds Wilderness is proposed in both H.R. 5426 and H.R. 5470. We understand that there is a molybdenum deposit, part of which is included in the heavily mineralized area. The importance of the extraordinary wilderness qualities of Oh-Be-Joyful outweigh the relatively remote possibility that molybdenum might need to be mined there, given the existence of major deposits elsewhere in the United States.

West Needles and Weminuche Wilderness Study Areas.

These areas adjoin the existing Weminuche Wilderness between Durango and Silverton. The 33,000 acres that should be added include the West Needle Mountains from the ridge west of Cascade Creek to just south of East Lime Creek. It also assures that Emerald Lake is within the established wilderness area. Mineral conflicts are prevented by drawing the boundaries to avoid three parcels around Molas Lake, Deer Park, and north of Highland Mary Lakes.

South San Juan Expansion Wilderness Study Area.

The two proposed additions to the South San Juan Wilderness totalling 32,800 acres (V-Rock and Montezuma Peak) are about 50 miles south and west of Alamosa, the primary population center in the San Luis Valley. The additions comprise some of the most remote and wildest areas remaining in the State of Colorado. The first and only grizzly bear to be found in Colorado in over 30 years was in the area near Montezuma Peak. The boundaries avoid the Chama Basin, an area of important oil and gas potential.

American Flats Wilderness Study Area.

This obvious 1,505 acre addition to the existing Big Blue Wilderness is on public land managed by the Bureau of Land Management about 15 miles west of Lake City. It has been recommended for wilderness designation by BLM. The addition will insure the long-term protection of the high altitude portion of the Big Blue Watershed.

Wheeler Geologic Study Area.

This area would add 29,350 acres to the existing LaGarita Wilderness. It is of particular importance to the State of Colorado. The state has, with the cooperation of the U.S. Forest Service, officially designated 640 acres as the Wheeler Geologic Natural Area because of the presence of a nationally significant geologic formation. The area was formerly designated a national monument in 1908 by President Theodore Roosevelt but de-designated in 1950 due to a lack of funds to manage the area. The natural area at timberline is a spectacularly carved phenomenon of colorful volcanic tuff deposited 26 million years ago and since carved by the weather. Wilderness designation of the natural area and its surroundings will finally provide necessary protection to the vulnerable site and to nearby Wasson and Silver Parks with their scenic, open qualities. Access to the sensitive geologic area by motorized vehicles must be limited to prevent damage and overuse.

Spruce Creek Addition Wilderness Study Area.

Adding an 8,000 acre wilderness area in Pitkin County as recommended by the Forest Service will protect a roadless area that includes Spruce Creek and Spruce Trail. The area is habitat for mountain lion, lynx, white-tail ptarmigan and the specially protected Colorado cutthroat trout. The area is bounded on three sides by the Hunter-Fryingpan Wilderness to which it will be an addition.

I now turn to the new wilderness areas we seek for Colorado.

Service Creek Further Planning Area.

Fifty thousand four hundred fifty acres of wilderness would be designated southeast of Steamboat Springs in a breathtaking area of the Northern Gore Mountain Range. The area would assure protection for vital big game habitat and protect the watersheds of Service Creek and Harrison Creek.

Buffalo Peaks Wilderness Study Area.

The 57,430 acre proposed wilderness area is enclosed by boundaries which were adequately adjusted to exclude the heavily mineralized area around Weston Pass and Low Pass Gulch. Among the significant wilderness qualities is its importance as bighorn sheep range. Buffalo Peaks is within reach of visitors from the urban areas of the central front range and the growing Dillon-Breckenridge resort area.

Cannibal Plateau Further Planning Area and Powderhorn Primitive Area.

These two adjacent areas managed by the U.S. Forest Service and the Bureau of Land Management comprise a prime wilderness area of 63,700 acres. It includes the largest expanse of alpine tundra south of the State of Alaska. The boundaries recommended by BLM for the Powderhorn Area are logical and manageable. The boundaries proposed for the Cannibal Plateau Area would preserve the integrity of the area while excluding areas now used by snowmobiles on Mesa Seco and south of Brush Creek.

Fossil Ridge Wilderness Study Area.

Fifty-five thousand five hundred sixty acres of rugged, mountainous wilderness dotted with alpine lakes lie in the central mountains of Colorado, not far from the population center of the Gunnison Valley. Designation will help meet the increasing wilderness demand and protect an area of dramatic beauty from deterioration and overuse. The area contains golden eagles, mountain goats, and peregrine falcons. It has extensive riparian wetlands and an exquisite panorama from any point along the ridge. The area's limestone bedrocks and outcroppings contain 300- to 600-million year old fossils which represent nearly all of Paleozoic history. Fossil Ridge Wilderness Area should resist poisoning from acid precipitation and might provide a controlled study area in the Central Rockies for acid deposition effects on the lives of rivers and lakes. Small parcels containing mineral claims and private lands along Cameron Creek and Cross Creek are outside the proposed boundaries. We have information that uranium and gold may be recovered from the proposed wilderness, but market conditions and other uncertainties argue against denying wilderness designation to this superb area.

Greenhorn Mountain Wilderness Study Area.

This area in the Wet Mountains including more than 22,000 acres northwest of Pueblo is already popular for recreation. It is noted for its wildlife such as deer and elk, bighorn sheep, and the native, greenback cutthroat trout.

Piedra Wilderness Study Area.

Establishing this 49,180 acre area in Archuleta and Hinsdale Counties as a wilderness would add slightly to the Forest Service recommendation, which wisely includes all of the Piedra River. The Piedra is a recommended wild and scenic river and it represents one of Colorado's best trout fisheries. The River, Little Sand Creek, Weminuche Creek, and Piedra First Fork all contain reintroduced river otter, a state-endangered species.

St. Louis and Vasquez Peaks Further Planning Areas.

These two adjacent areas of primitive timberline peaks totaling 24,160 acres border the existing Fraser Experimental Forest in Arapahoe National Forest. They are only about 60 miles from Denver making them easily accessible to the population of the Front Range.

Sangre de Cristo Wilderness Study Area.

The Sangre de Cristo Mountains comprise our largest proposed wilderness area -- nearly one-quarter million acres. These beautiful mountains reflect the cultural heritage of Colorado and are the home of black bear, cougar, elk, bighorn sheep and eagles. A wilderness area should encompass the Lily Lake area in the southern portion of the range which provides wilderness access to Blue and Como Lakes as well as one of the most spectacular 14,000 foot peaks in Colorado, Blanca Peak. Another fourteener, Little Bear Peak, should also be included in a Sangre de Cristo Wilderness. Medano Lake should remain closed to motorized vehicles although Medano Pass, the Rainbow Trail, and parts of the spectacular Comanche/Venable Trail would remain open for some motorized recreation.

Spanish Peaks Wilderness Study Area.

With an adjustment to allow access to the Bull's Eye Mine, virtually all of the study area acreage should be designated as the Spanish Peaks Wilderness. It is distinguished by the well-known twin volcanic peaks that rise majestically southwest of Walsenburg.

I want to raise a special issue concerning state inholdings that are scattered throughout existing and proposed wilderness areas in Colorado. I recommend that Congress in the course of its consideration of the 1984 Colorado wilderness bill consider ways of addressing the inholdings problem. The State Land Board is under a constitutional mandate to manage its lands to earn maximum revenue primarily for the state's school funds from its lands. This purpose, like the purposes of private landowners, may conflict with management of wilderness. All told, the inholdings are relatively few and could be dealt with by land exchanges. Because land exchanges are complex undertakings and are often pushed to the bottom of the agency's priority list, I recommend that Congress consider a provision mandating that within five years of enactment of the 1984 Colorado wilderness bill, the Forest Service or the Bureau of Land Management should attempt to purchase state inholdings or acquire them by land exchanges.

Now is the time for Congress to act to preserve the areas in Colorado that have true wilderness qualities. The areas I have identified deserve to be designated for wilderness use and enjoyment by all of us and by future generations whose need for the wilderness experience will be even greater than ours is today. I strongly urge your favorable consideration of the areas to ensure that they will be managed, maintained and nurtured as wilderness. The quality of life of Americans today and in the future will be enhanced by the opportunity to view the magnificent areas and to experience the simple, natural solitude that can be found there.

STATEMENT BY EDWARD J. WREN
VICE PRESIDENT, SOUTHWEST FOREST INDUSTRIES
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS &
NATIONAL PARKS
HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
WASHINGTON, D.C.
MAY 10, 1984

Mr. Chairman and members of the Committee, I appreciate the opportunity to appear before you today in support of the acreage provisions contained in H.R. 5426, the legislation designating 378,783 acres for inclusion in the Wilderness system, and to oppose the acreage provision contained in H.R. 5470, the legislation designating 738,125 acres for inclusion in the Wilderness system.

The Company I represent, Southwest Forest Industries, is heavily involved in building and paper products manufacturing and distribution in several states, including Colorado, Arizona, and New Mexico in the Southwest. Southwest, one of the largest forest products companies in Colorado, has a sawmill in South Fork in the sourthern part of the state. This sawmill represents an employment opportunity for nearly 52 percent of the work force in the community and an annual payroll exceeding $2 million last year. Southwest's direct impact on this economically depressed area in Colorado will be over $4 million this year, resulting from direct payroll payments, payments to contractors, and local property and sales taxes. Moreover, approximately $1 million in stumpage costs will be paid for National Forest timber, of which $250,000 will be returned to Del Norte County as its share of the stumpage.

Managing the forest resource is a prime concern in Colorado, where more than 73 percent of the commorical timberland is publicly owned, and the greater majority is in National Forests. As most of you on the Committee realize, there is very little private timber in the Rocky Mountain states and companies such as Southwest really have no viable alternative other than National Forest timber as the raw material source. Our mill in South Fork is almost entirely dependent on National Forest timber as the raw material source.

For a number of years now the timber supply situation in Southern Colorado, at best, has been uncertain due to the controversies surrounding the resolution of various wilderness proposals. In this same time frame, our Company has sought ways to increase the available timber supply to the mill so as to increase production, employment and profits. Each time we are unable to achieve the increases sought because of the limited and uncertain timber supplies offered in the surrounding National Forests and mainly because of the continuing unresolved wilderness issues.

Our Company has been involved to a major degree in the process that led to both the Colorado and New Mexico RARE II bills enacted by Congress in 1980 and in the Arizona, California and Oregon bills that are presently pending before Congress.

We believe that H.R. 5426 is the more reasonable compromise that hopefully will settle the wilderness issue in Colorado for many years to come. This legislation more closely matches what Congress intended for future additions to the Wilderness system in Colorado under the Colorado RARE II bill passed in December of 1980. It bears a close resemblance to the compromise that was put together relative to the 1980 legislation, when Congressman Ray Kogovsek played a major role in bringing both sides together in southern Colorado and forging what our Company considers to have been a piece of legislation that was fair and equitable to everyone, even though neither side achieved their pre-set goals. But that is the essence of compromise.

On the other hand, H.R. 5470 appears to be the antithesis of compromise. It goes beyond reasonable compromise by suggesting that nearly all the remaining roadless areas not covered by the 1980 Colorado legislation now be added to the Wilderness system. This legislation calls for adding over 738,000 acres (nearly double the acreage in H.R. 5426 or an additional 359,342 acres over what is in H.R. 5426), including areas of concern to Southwest such as the Wheeler Geologic Area containing 29,350 acres and the South San Juan area containing 32,800 acres. These two areas are in close proximity to our South Fork mill and have good, accessible timber. In fact, recent land and resource management plans issued by the Forest Service conclude and recommend to Congress that these two areas, as well as many of the other areas included in H.R. 5470, but not included in H.R. 5426, be managed for full multiple use.

The National Forests in southern Colorado have been studied and re-studied by every conceivable group representing every type of discipline and philosophy. Southwest strongly believes that now is the time for Congress to make the final decision. Everyone will not and cannot be totally pleased with the final result. We also are not totally pleased that this issue regarding wilderness in Colorado has been brought before Congress again, less than four years after the original bill was enacted into law. Yet, we agree with Congressman Kogovsek that H.R. 5426 is the only equitable, and hopefully final, solution to the question of wilderness for all sides.

H.R. 5426 includes the recently developed, and reasonable, release language. The Committee has made important progress in mollifying the issues surrounding this sensitive aspect of Wilderness legislation. We believe the language to be a significant and progressive step forward and look forward to work with your Subcommittee and Congress in the further resolution of this and other Wilderness legislation issues.

Again, Southwest can only support H.R. 5426 as the final equitable solution to the Wilderness questions in Colorado. We urge the Subcommittee, the full Committee and Congress to follow Congressman Kogovsek's artful compromise by supporting and passing H.R. 5426. Thank you Mr. Chairman and Committee members, and I would be glad to answer any questions.

THE WILDERNESS SOCIETY

FOUNDED IN 1935

STATEMENT OF MICHAEL D. SCOTT, SOUTHWEST REGIONAL DIRECTOR OF THE WILDERNESS SOCIETY BEFORE THE HOUSE SUBCOMMITTEE ON PUBLIC LANDS ON H.R. 5470 AND H.R. 5426, BILLS TO DESIGNATE WILDERNESS IN COLORADO, MAY 10, 1984.

Mr. Chairman, members of the Subcommittee, my name is Michael D. Scott. I am the Southwest Regional Director of The Wilderness Society and I live in Denver, Colorado. I am pleased to be here today to testify on H.R. 5470 and H.R. 5426, bills to designate wilderness in Colorado.

These bills are before you today as a result of the 1980 Colorado Wilderness Act. That Act designated 1.4 million acres of wilderness, released 4.2 million acres, and set aside 18 areas, totaling 738,678 acres, as Wilderness Study Areas and Further Planning Areas. Sections 105 and 106 of the 1980 Act mandated study of these WSA's and FPA's within three years. The Forest Service's draft recommendation contains 10 areas totaling 447,767. H.R. 5470 contains 17 areas totaling 733,645. H.R. 5426 contains only eight areas totaling 402,800. Conservationists have asked for 877,820 acres. We view H.R. 5426 as unacceptable while H.R. 5470 represents a good beginning towards resolving the fate of these 18 areas and we support its passage.

Today, I would like to address three specifics: (1) The value of Colorado wilderness to Colorado and to the rest of the nation; (2) timber values in the 18 areas; and (3) the proposed wilderness deletions in H.R. 5426.

I. Wilderness Values

Colorado has long been a symbol of the Rocky Mountains. Its beauty and majesty have inspired Native Americans, explorers, and artists. With only three percent of the designated Wilderness in the United States, Colorado hosts over 17 percent of wilderness visits. This use totaled some 1.85 million visitor days in 1982. The Forest Service estimates that this use is growing at a phenomenal seven percent annual rate. The Forest Service further estimates that this growth will use up the available supply of designated Wilderness in another decade. It is time for us to look ahead. Not just for those who are fortunate enough to live in Colorado, but for all other Americans who visit Colorado's wilderness or hope to do so some day. Otherwise our present Wilderness areas will be denegrated by overuse.

What is all this wilderness use worth? It is difficult to answer this question. How, for instance, does one value the solitude and spiritual insights gained sitting for hours alone and undisturbed in a field of wildflowers? Some might not place any value on the experience, others might not exchange the experience for any sum of money.

The Forest Service, in its Rocky Mountain Regional Guide, places a value of $12 per visitor day on wilderness. Based on 1.85 million visitor days in 1982, this would result in a value of $22 million. If administrative costs are deducted this figure becomes $21.15 million. Wilderness in Colorado has a net public benefit/cost ratio of $23.45 per dollar of investment. With wilderness use growing at a 7% annual rate this benefit will be a continuing resource for the State. (See Table 1)

Table 1. Estimated Costs and Benefits for Wilderness Management in Colorado, Fiscal Year 1982

Forest	Recreation Use	Costs[2]	Public Benefits[3]	Net Public Benefits	Ratio of Benefits to Costs
	MRVD[1]	. . . .	.thousand dollars. ($/MRVD)	. . . .	
Arapaho-Roosevelt	467.1	262 (.56)	5,605 (12.00)	+5,343 (11.44)	21.39
GMUG	286.9	128 (.45)	3,443 (12.00)	+3,315 (11.55)	26.83
Pike-San Isabel	223.6	145 (.65)	2,683 (12.00)	+2,538 (11.35)	18.48
Rio Grande	119.2	57 (.48)	1,430 (12.00)	+1,373 (11.52)	24.87
Routt	114.3	52 (.36)	1,732 (12.00)	+1,680 (11.64)	33.49
San Juan	197.4	111 (.56)	2,369 (12.00)	+2,258 (11.44)	21.36
White River	400.4	185 (.46)	4,805 (12.00)	+4,620 (11.53)	25.94
TOTAL	1,838.9	941 (.51)	22,067 (12.00)	+21,126 (11.49)	23.45

1. A Recreation Visitor Day (RVD) represents 12 hours of recreation use. An MRVD is a unit representing one thousand RVD.

2. Costs of wilderness management include administrative overhead, salaries, equipment and costs for trail construction and maintenance. Cost data obtained from USFS Denver regional office.

3. Benefits are based on the 1980 RPA Program value of $12 per RVD for wilderness recreation use. A more recent study conducted by the Forest Service for the 1985 RPA Program places the value at $20 per RVD. Were the more recent value used, Net Public Benefits would be $+36 million and the benefit/cost ratio 39.09.

II. Timber Values

As evidenced by the witnesses here today, much of the concern over wilderness designation comes from timber interests. Advocates of the timber industry often talk about "opportunities foregone." These "opportunities" are the timber resources identified in each proposed wilderness.

As a general proposition, the Forest Service cannot grow a tree in the national forests of the Rocky Mountain Region and make money. In fact, on the average, Colorado forests lost 94¢ on the dollar in 1982. In the most recent year for which statistics are available from the Forest Service, fiscal year 1982, the timber programs on all of the Colorado national forests operated at a net loss. (See Table 2) The loss was approximately $95.35 for every thousand board feet (Mbf) of timber for a total loss in excess of $19 million.

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Our calculations indicate that the 18 areas in the Conservationists's proposal contain approximately 28 million board feet (MMBF) of timber available to cut. Based on our calculated return of 6¢ on the dollar these 18 proposed wilderness areas would cost the federal treasury $2.3 million each year if logged. The benefit/cost ratio is a negative 17 to 1

There is an almost $15 million difference in returns to the public between wilderness and timber in the conservationist proposal. These 18 proposed areas would result in a net public benefit if designated wilderness but would result in a net public deficit if timbered. There can be little doubt as to which course, is in the public interest when determining the future of the national forests in Colorado.

Table 1. Timber Costs and Receipts from National Forests in Colorado, Fiscal Year 1982

Forest	Costs			Timber Sale Receipts[3]	Net Timber Receipts	Ratio of Timber Receipts To Cost
	Management[1]	Roads[2]	Total			
	.................thousand dollars............... ($/Mbf of Timber Sold)					
Arapaho-Roosevelt	1,007(35.18)	1,672(58.41)	2,679(93.59)	232(8.10)	-2,447(- 85.49)	.09
Grand Mesa, Uncompahgre Gunnison	1,689(50.36)	1,435(42.79)	3,124(93.15)	123(3.67)	-3,001(- 89.49)	.04
Pike-San Isabel	1,023(54.92)	337(18.09)	1,360(73.01)	299(16.05)	-1,061(- 56.95)	.22
Rio Grande	1,507(40.91)	3,352(91.00)	4,859(131.91)	103(2.80)	-4,756(-129.12)	.02
Routt	1,204(33.71)	2,530(70.84)	3,734(104.55)	228(6.38)	-3,506(- 98.17)	.06
San Juan	1,373(54.01)	1,576(61.99)	2,949(116.00)	82(3.23)	-2,867(-112.78)	.03
White River	816(38.46)	832(39.21)	1,648(77.67)	128(6.03)	-1,520(- 71.64)	.08
TOTAL	8,619(42.89)	11,734(58.40)	20,353(101.29)	1,195(5.95)	-19,158(-95.35)	.06

1. Management costs include timber sale preparation and administration, specific activities in support of timber sales (e.g. hydrologists, soil scientists), reforestation and timber stand improvement. Timber salvage, brush disposal and general administrative costs are not included.

2. Road building costs include road construction from appropriated funds and engineering support. Purchaser road credit costs are not included.

3. Timber sale receipts are based on "statistical high bid" values for timber prepared and sold during FY 1982. This does not include the value of roads constructed by timber purchasers.

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* Editor's Note.--Page 5 of Mr. Scott's prepared statement which should follow at this point had not been made available to the subcommittee at time of printing. The remainder of Mr. Scott's statement follows.]

Service allowed an individual to use mechanized equipment at a patented claim in the Mt. Sneffels Wilderness last year.

Patented claim holders in wilderness can and do go to their claims in Wilderness areas. It is not necessary, reasonable or prudent to propose deleting areas from wilderness every time one of these thousands of claim holders wants to visit or work the claim.

Section 5 of H.R. 5426 would delete a portion of the Flat Tops Wilderness around Trappers Lake. We are opposed to this deletion as well.

The intent of this section is to exclude a boathouse located a few hundred yards inside the wilderness boundary. The Forest Service originally recommended a boundary for the Flat Tops that would have left out half of Trappers Lake. After much discussion in two separate Congresses the Lake was included in the Flat Tops Wilderness because its values were integral to the other wilderness values of the Flat Tops Wilderness. There was no difference between the House and Senate on this point. Congress knew where the boathouse was located and assumed that, as a preexisting use, it would be allowed to continue. This confidence was bolstered by Section 4(d)(4)(6) of the Wilderness Act which states:

> Commercial services may be performed within the wilderness areas designated by this Act to the extent necessary for activities which are proper for realizing the recreational or othre wildernss purposes of the areas.

The boathouse serves a definite recreational purpose, canoing on rappers Lake.

In 1978, the Forest Service adopted a management plan for the Flat Tops Wilderness. It stated that since the boathouse was part of a commercial operation -- a lodge immediately outside the Wilderness boundary -- it would have to be torn down or moved one year after the expiration of the lodge special use permit. It is important to emphasize that this was an administrative decision. Pre-existing commercial operations in wildernesses have been handled differently elsewhere. In the Bob Marshall, for instance, the Forest Service allows outfitters to establish virtually permanent camps in the wilderness to be used for hunting, fishing, etc probably under the provision of the Wilderness Act cited above. This, too, is an administrative decision, not a statutoryily protected right or privilege.

It seems uncessary to solve a problem stemming from an arbitrary administrative decision with a precedent-setting legislative action. We recommend that the Committee ask the Forest Service to change its administrative decision. If the Forest Service is recalcitrant there are many other remedies, oversight hearings for instance, that can be employed. Legislation deleting wilderness is not the answer.

In summary, wilderness is a scarce resource in Colorado. Its use is growing rapidly as is demand. Timber in these proposed areas is not economical to harvest nor would it significantly contribute to our nation's supply (the 18 areas contain about one-third of one percent of the annual nationwide cut).

We are opposed to the deletions in Section 4 and 5 of H.R. 5426. In addition, H.R. 5426 does not contain adequate wilderness to meet Colorado's needs or the needs of the country.

H.R. 5470 comes much closer to the Conservationists proposal and is thus a bill we support.

Thank you. I would be happy to answer any questions.

ESTIMATED TIMBER POTENTIAL OF PROPOSED WILDERNESS AREAS

Proposed Areas in HR 5670	Long-Term Sustained Yield MMBF	Allowable Cut MMBF	Return (Loss) to Treasury
Big Blue Additions	0	0	
Bob Adams (Service Creek)	3.889	3.889	$(381,684)
Buffalo Peaks	4.207	3.307	(188,333)
Cannibal Plateau	2.198	2.198	(196,699)
Powderhorn	1.0	1.0	(89,490)
Davis Peak (Mt. Zirkel Additions)	.460	.460	(45,158)
Fossil Ridge	.325	.325	(29,084)
Greenhorn Mtn.	2.760	.62	(3,530)
Lost Creek	2.586	2.292	(130,529)
Oh Be Joyful	0	0	
Piedra	8.264	5.713	(644,312)
St. Louis & Vasquez Peaks	.927	.927	(79,249)
Sangre de Cristos	7.165	4.640	(264,248)
South San Juan Expansions	6.032	1.50	(169,170)
Spanish Peaks	.87	.52	(2,961)
Spruce Creek	.64	.64	(4,584)
West Needles	.50	0	
Weminuche	.054	.054	(563)
Wheeler Geologic	.639	.639	(82,502)
TOTALS:	42.516	28.454	$(2,312,086)

NOTE:
In cases where Forest Service figures were not available estimates were made. Where Forest Service figures on long term sustained yield were available but not allowable cut, long term sustained yield figures were used.

Table 2-8

Currently Designated Colorado Wilderness Areas[1]

Name of Area	National Forest	Gross Acres[2]	Net Acres	1981 Use (thousand visitor days)
Big Blue	Uncompahgre	97,700	97,350	53.5
Cache La Poudre	Roosevelt	9,400	9,400	1.8
Collegiate Peaks	Gunnison, San Isabel, and White River	159,900	159,900	153.2
Comanche Peak	Roosevelt	67,500	67,500	19.8
Eagles Nest	Arapaho and White River	133,915	133,688	78.0
Flat Tops	Routt and White River	235,230	235,035	101.4
Holy Cross	San Isabel and White River	126,060	116,870	87.4
Hunter-Fryingpan	White River	74,450	74,250	45.4
Indian Peaks	Arapaho and Roosevelt	70,894	70,374[3]	310.2
La Garita	Gunnison and Rio Grande	101,286	101,286	32.3
Lizard Head	San Juan and Uncompahgre	41,496	41,158	28.2
Lost Creek	Pike	106,000	105,680	56.7
Maroon Bells-Snowmass	Gunnison and White River	174,429	172,560	199.3
Mount Evans	Arapaho and Pike	73,000	73,000	78.0
Mount Massive	San Isabel	26,000	26,000	30.5
Mount Sneffels	Uncompahgre	16,200	16,200	11.1
Mount Zirkel	Routt	139,898	139,818	66.3
Neota	Roosevelt and Routt	10,220	9,836	5.1
Never Summer	Arapaho and Routt	14,100	13,702	53.4
Raggeds	Gunnison and White River	59,200	58,950	19.0
Rawah	Roosevelt and Routt	73,899	73,109	22.6
South San Juan	Rio Grande and San Juan	127,721	127,721	41.5
Weminuche	Rio Grande and San Juan	465,690	461,459	255.4
West Elk	Gunnison	176,412	176,092	101.5
TOTAL		2,580,600	2,560,938	1,851.6

[1] Acres are approximate. Final acreages to be determined based on congressional acceptance of final maps for the areas.

[2] Gross acres are all lands inside wilderness. Net acres are only National Forest Service lands.

[3] Does not include 2,900 acres transferred to Rocky Mountain National Park by P.L. 96-560, December 22, 1980.

Source: Land Areas of the National Forest Service, as of September 30, 1980, FS-360.

Source: Rocky Mountain Regional Guide, 1984

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2239 E. Colfax Ave., Denver, CO 80206 393-0486

STATEMENT OF COLORADO OPEN SPACE COUNCIL
ON H.R. 5426 AND H.R. 5470
THE COLORADO NATIONAL FOREST WILDERNESS ACT OF 1984
BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS
HOUSE INTERIOR AND INSULAR AFFAIRS COMMITTEE
MAY 10, 1984

"Humanity belongs to earth, not earth to humanity"

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2239 E. Colfax Ave., Denver, CO 80206 393-0466

Good morning, Mr. Chairman and distinguished members of the committee. My name in Mark Pearson, from Grand Junction, Colorado. I am today representing the Colorado Open Space Council for testimony on H.R. 5426 and H.R. 5470. The Colorado Open Space Council is Colorado's statewide conservation coalition. Founded in 1965, the Colorado Open Space Council now includes 1800 individual members as well as more than 50 member groups with a cumulative membership in excess of 30,000 Coloradans. Colorado Open Space Council member groups include recreation, conservation, civic, and wildlife organizations from all corners of Colorado. The Colorado Open Space Council, along with the Wilderness Society, produced the 1983, now 1984, Colorado Wilderness Proposal with the able assistance of 26 other citizen groups including the San Juan Audubon Society in Durango, the Northwest Rivers Alliance in Steamboat Springs, the High Country Citizens Alliance in Crested Butte, Friends of the Sangres in Alamosa, and major statewide groups such as the Colorado Mountain Club and the Rocky Mountain Chapter of the Sierra Club.

The Colorado Open Space Council has provided a coordinating role for many years on wilderness issues in Colorado, first in the Forest Service Roadless Area Review and Evaluation II (RARE II), in which hundreds of citizens participated by evaluating individual roadless areas, providing exhaustive and in-depth field studies on many magnificent Colorado roadless lands. These proposals were used by the Colorado Open Space Council in formulating the conservation community's position on the 1980 Colorado Wilderness Act, the first step to resolving the RARE II debate in Colorado. The 1980 Colorado Wilderness Act designated many of Colorado's most spectacular and popular roadless lands, while releasing other areas to uses that may be incompatible with wilderness values. The act found RARE II to be legally sufficient as well. Special attention was given to the problems of livestock operators in wilderness areas, and language included in the act to allow special access rights for ranchers holding allotment permits within wilderness.

The 1980 Colorado Wilderness Act designated 1.4 million acres of Forest Service lands as wilderness as compared to the 2.1 million acres recommended as suitable for wilderness by the Forest Service in RARE II. Many of the 700,000 acres recommended for, but not designated as, wilderness ended up in 10 Congressionally designated Wilderness Study Areas, one Geologic Study Area, and 6 Forest Service Further Planning Areas, for a total of 17 areas requiring further study to determine their wilderness suitability. Congress desired reports from the Secretary of Agriculture on these wilderness studies by December, 1983. That date has passed. The time is now ripe for Congress to conclude RARE II in Colorado, and to enact legislation wrapping up the loose ends of the 1980 Colorado Wilderness Act.

The Colorado Open Space Council has participated in each of the studies of the 17 additional study areas, providing input to the Forest Service and researching the potential resource conflicts within each area. The culmination of that research was the publication in April, 1983 of the Colorado Wilderness Proposal. This proposal addressed the 17 Forest Service additional study areas from the 1980 Colorado Wilderness Act, one wilderness study area identified in the Endangered American Wilderness Act of 1978, several Bureau of Land Management Wilderness Study Areas contiguous to Forest Service study areas or wilderness areas, and five high quality Forest Service roadless areas without any particular study status, but deserving of wilderness protection nonetheless. The conservationists' 1984 Colorado Wilderness Proposal encompasses 1.2 million acres in 24 areas, including 863,000 acres for the 19 areas mentioned in H.R. 5470. H.R. 5470 designates only 733,000 acres in 18 areas, while H.R. 5426 would designate even less, 400,000 acres in 8 areas.

The conservationists' Colorado Wilderness Proposal is one of diversity, including areas of high alpine mountains with many 13,000 and 14,000 foot peaks, and low elevation, pristine forests currently underrepresented within the National Wilderness Preservation System. It includes little known, remote areas and areas within a two-hour drive of the one and a half million inhabitants of the front range cities. It includes simple additions to existing wilderness, as well as large portions of entire mountain ranges. It includes both Bureau of Land Management and Forest Service areas. Finally, the proposal includes a unit with six 14,000 foot peaks, and one with the largest contiguous alpine tundra acreage south of Alaska.

Appreciation of wilderness values continues to grow in America. Wilderness, we are learning, is a resource that is not only compatible with the multiple use concept, but is also an integral part of modern multiple use management in our National Forests. In fact, wilderness designation can protect and enhance the utility of many forest resources.

Watershed protection is one such utilitarian value of wilderness. H.R. 5470 provides protection for municipal, agricultural, and recreational uses of water by its designation of such watersheds as Oh Be Joyful - the town of Crested Butte's secondary water supply, the upper Huerfano River Valley in the Sangre de Cristos, and the spectacular Piedra River drainage.

Colorado is famous for its wildlife resources. As Colorado continues to grow, and indeed it is growing at an astounding rate, greater pressure will be placed upon wildlife. Wilderness designation assures natural areas to insulate against these increasingly conflicting demands for the land. Critical habitat for big game species such as elk, deer, bighorn sheep and mountain goats is protected by H.R. 5470, as are areas critical to the thriving of non-game species such as river otters, bald eagles, and native cutthroat trout.

The demand for wilderness recreation is growing at an ever increasing rate in Colorado. Wilderness recreation is increasing by 7% per year statewide, and the demand is expected to outstrip the existing wilderness acreage in the next 13 years (according to the Forest Service's Region 2 Regional Guide). In many forests, the problem will occur much sooner. On the Arapaho-Roosevelt National Forest, for example, demand will exceed existing wilderness capacity as soon as 1986. The towering peaks and lush forests of H.R. 5470 will greatly help to meet this demand.

The scientific benefits of wilderness designation can be substantial. Wilderness designation assures protection for undisturbed climax ecosystems and creates refuges for native plant species, both of value to scientists. H.R. 5470 includes one area actively being studied to gauge the impacts of acid rain, and another area whose entymological life is the subject of continuing research by several universities.

Wilderness provides high quality forage not only for wildlife, but also for livestock. Wilderness can in many instances protect backcountry allotments from potentially disruptive activities. The grazing language of the 1980 Colorado Wilderness Act will assure the continued viability of livestock operations within wilderness.

The timber potential of those lands in H.R. 5470 is minimal. Many of the higher elevation areas contain no marketable timber, while lower elevation forests are often situated on steep or unstable soils. While some potentially productive forest lands will be withdrawn from the commerical forest base by wilderness deisgnation, the amount is insignificant. The programmed harvest levels of every national forest in Colorado are far below their maximum sustainable yield. This means that any timber removed from production by wilderness designation will not be missed due to the availability of abundant timber outside of wilderness. An important fact to keep in mind is that while Colorado is a major supplier of wilderness to the nation, possessing only 3% of the nation's wilderness but providing 17% of wilderness use nationwide, the state supplies but one-third of one per cent of the nation's timber.

The mineral potential of areas in H.R. 5470 is limited. The vast majority of the areas have little or no mineral potential, according to recent US Geological Survey and Bureau of Mines studies of petroleum and hardrock mineral potential in wilderness. In those few areas with a probable mineral potential, the wilderness resource which would be irretrievably lost through mineral development greatly outweighs economic gains that might be foregone. In almost every case, these areas are far removed from producing mineral zones. The very fact of their non-development indicates they may be on the fringe of economic viability. The areas in H.R. 5470 represent the last few wilderness candidate areas in Colorado's national forests. The wilderness values of these areas are a proven, valuable, renewable resource. The opportunity for non-wilderness land uses will always remain.

The Colorado Open Space Council supports the wilderness proposals of Representative Wirth's bill, H.R. 5470. H.R. 5470 has made many deletions to the Colorado Conservationists' Wilderness Proposal, such as boundary modifications of Buffalo Peaks to remove potential mineral conflicts, deletion of half of Cannibal Plateau for snowmobile use, and the omission of the entire Williams Fork unit due to the objections of water developers. Further deletions, above and beyond those already contained in H.R. 5470, would be based on conflicts with largely marginal resources.

The Colorado Open Space Council submits the following detailed descriptions of areas for the hearing record. We have extensive comments concerning those areas left out of Representative Kogovsek's bill, H.R. 5426, as well as comments concerning boundary differences between the two bills. We look forward to the report by this committee of a strong wilderness bill providing protection for the remnants of Colorado's forest wilderness.

SIERRA
CLUB

330 Pennsylvania Avenue, S.E.
Washington, D.C. 20003 (202) 547-1141

Testimony of Maggie Fox

Sierra Club Southwest Representative

Before the

Subcommittee on Public Lands and National Parks
Committee on Interior and Insular Affairs

On H.R. 5470 and H.R. 5426

May 10, 1984

[illegible] Walnut
Boulder, Colorado 80302
303•449•5595

SIERRA CLUB SOUTHWEST OFFICE

My name is Maggie Fox and I am the Southwest Regional Representative for the Sierra Club with an office in Boulder, Colorado. The Southwest Region is defined as the Four Corners States of Arizona, New Mexico, Utah and Colorado. I am here today to represent in general the views of the over 7000 members of the Sierra Club's Rocky Mountain Chapter in Colorado and specifically as a member of the Indian Peaks Group of the Sierra Club in Boulder, Colorado. The Indian Peaks Group would like to Thank their Congressman, Tim Wirth, for introducing H.R. 5470. We feel that Congressman Wirth took a courageous and important step in introducing this strong wilderness bill . His actions broaden the debate here in the House of Representatives and are, we think, an accurate reflection of the sentiment of his constituency.

The passage of the 1980 Colorado Wilderness Act was a landmark occasion for Colorado conservationists and a source of great pride and satisfaction to Colorado Sierra Club members. But there were several questions left unanswered by the passage of that Act. Colorado conservationists put together a state-wide proposal of approximately 1.2 million acres to be considered for this second look by Congress. While we would like to see the 327,000 acres not in H.R. 5470 included in the bill, we think that it fairly resolves most of the issues of wilderness designation within those areas placed in further study in 1980. H.R. 5470 is comprehensive in scope, placing under wilderness protection such popular areas as Lost Creek, an 11,500 acre addition to the existing Lost Creek Wilderness southeast of Denver to the gem of the West Elks Range, Oh-Be-Joyful, to the limestone escarpment of Fossil Ridge with its alpine lakes and steep, forested slopes.

COLORADO CATTLEMEN'S ASSOCIATION
SUITE 220 LIVESTOCK EXCHANGE BUILDING / DENVER COLORADO 80216 / TELEPHONE 296-1112

STATEMENT
of the
COLORADO CATTLEMEN'S ASSOCIATION

concerning

H.R. 5426 and H.R. 5470 designating certain National Forest Systems Lands in Colorado for inclusion in the National Wilderness Preservation System.

before the

Subcommittee on Public Lands and National Parks of the U.S. House of Representatives.

Presented by

LEE SPANN
of
Gunnison, Colorado
Past President, Colorado Cattlemen's Association

May 10, 1984
Washington, D.C.

Mr. Chairman and members of the Committee, my name is Lee Spann and I'm a 4th generation cattleman from Colorado. I ranch on both public and private land in the Gunnison area. I'm before you today representing the Colorado Cattlemen's Association, a 117-year-old association representing some 3500 members throughout the State of Colorado. Membership in the Association includes stockmen who operate on both private and public lands.

On behalf of the Association, I would like to thank the committee for the opportunity to present testimony on H.R. 5426 and H.R. 5470. As public land users, cattlemen in Colorado have taken a very active interest in the inclusion of public lands in Colorado in the Wilderness System.

Our participation goes back to the original Wilderness Act of 1964. Since that time the association and its members have held and attended numerous meetings on the subject of wilderness areas. It seems only a short time ago that I was privileged to testify here in Washington regarding the 1980 Colorado Wilderness Act. As a result of that Act, Colorado's wildernesses were increased to a total of 24 areas and some 2.6 million acres.

It is to our disappointment that we now find ourselves facing still another siege of legislation proposing more wilderness in Colorado. We would very much like to see this as the last round of wilderness legislation for our state.

Our interest in this issue is very direct. Our livelihood and our ability to operate our ranches as viable economic units are tied directly to the use of public lands. Likewise, the tax base of our counties and the economy of our local merchants are directly affected by whether or not we maintain a viable livestock industry.

While grazing is permitted within the boundaries of wilderness areas, experience has shown that cattlemen operating within wilderness areas face restrictions that make it more difficult to continue to operate from an economic as well as from a management standpoint. For that reason we are very concerned about being able to mitigate the impact of wilderness area designations on grazing.

We have made an attempt to identify the respective impacts of H.R. 5426 and H.R. 5470 on ranching and livestock. H.R. 5470 affects 49 cattle grazing allotments and 58 ranchers grazing over 10,000 cattle, whereas, H.R. 5426 affects only 24 cattle grazing allotments and 24 ranchers grazing 3,100 cattle. The percentage of the allotment area affected varies from a small amount to 100 percent. I would like to submit for the hearing record a summary of the allotments affected and how they are affected and ask that this summary be printed in the record. I also have available individual maps showing how each grazing allotment is affected by the two bills and I will be glad to make these available to the committtee staff, if desired.

An important issue that we believe should be clarified by this committee is the meaning of the Wilderness Act language that livestock grazing where established prior to an area being made wilderness shall be permitted to continue. Unfortunately, there are a number of grazing allotments in the areas covered by these bills that are temporarily not being grazed because of current economic conditions. These remain on the Forest Service books as designated grazing areas which are expected to be grazed again when sheep and cattle prices improve. We believe the intent of the law is to not introduce grazing where it did not exist previously and we don't think the word "established" should be taken to mean that livestock grazing had to be literally occuring on the exact day of enactment. As a matter of fact, grazing is commonly seasonal, so too literal an interpretation wouldn't be commonsense. Because of confusion in the Forest Service regulations, however, we urge the committee to clarify this issue so that grazing is not precluded from any of these areas added to the Wilderness System just because of a temporary situation.

The grazing guidelines established by the 1980 Colorado Wilderness Act have been very helpful in solving some of the previous problems experienced by grazers in earlier wilderness areas. We urge the committee to restate these guidelines in any new legislation so that there can be no question of their application and to expand the guidelines to include the clarification I mentioned previously concerning so-called vacant allotments.

In conclusion I would like to emphasize two things. First, we are indeed concerned about the continued creation of wilderness areas. H.R. 5470 creates the spectre of future wilderness considerations by establishing a sort of "non-wilderness wilderness" in the Williams Fork area. That area, under H.R. 5470, is to be managed as a wilderness area but is not given official wilderness designation. By not releasing this area from consideration, one can only assume that somewhere down the road Congress will again be considering this area and other Colorado areas for wilderness designation. We feel very strongly that this should be the last and final round of wilderness legislation for Colorado.

My second point is a request that the record for comment on these proposals be left open for an additional 60 days and that hearings be held in Colorado to give further opportunity for comment. We ask this because of the severe winter in Colorado and its impact upon the ability of stockmen to have time to review the proposals.

I would conclude by saying that H.R. 5426 would have less of an effect on grazing in Colorado and therefore we strongly favor this proposal over H.R. 5470. H.R. 5426 represents a proposal that permittees can work with.

We appreciate this opportunity to present our views.

Name of Area SERVICE CREEK (SARVICE CREEK) National Forest(s) ROUTT

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		cattle	sheep	H.R. 5470			H.R. 5826		
				1-25	26-50	50+	1-25	26-50	50+
*SERVICE CREEK GMK S&G	VACANT (will be filled this year)	(75)	(1,000)			X			X
*LOWER SILVER C&H	FRANK MILES	34			X			X	
*UPPER SILVER C&H	RAY MILES	25				X			X
*HARRISON S&G	ROCKY MTN. SHEEP CO.		1,000		X		X		
*EAST MORRISON C&H	RAY & RUTH MILLER	120		(Little or no usable range affected)					
*BLACK TAIL C&H	GARY HILL	480		X (2 to 3 % of usable range affected)					
*RED DIRT C&H	STURK RANCH	250		X (2 to 3 % of usable range affected)					

* expressed in terms of % of usable range rather than % of total allotment

Name of Area BUFFALO PEAKS National Forest(s) PIKE & SAN ISABEL N.F.s

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				W.R. 5070			W.R. 5020		
		Cattle	Sheep	1-25	26-50	50+	1-25	26-50	50+
PIKE N.F.									
WESTON S&G	VACANT		X		X				
BUFFALO MEADOWS C&H	D.B. McNULTY	210				X			
LONG PARK C&H	D.B. McNULTY	190		X					
McQUAID C&H	ROBERT WALKER	571		X					
SAN ISABEL N.F.									
BIG UNION C&H	MAXINE REDDY	111		X					
*FOUR MILE C&H	INEZ McMURRAY	75				X			
*SEVEN MILE C&H	JOE COGAN	80		X					
*WESTON PASS [illegible] S&G	VACANT		X		X				

* expressed in terms of % of usable range rather than % of total allotment

Name of Area CANNIBAL PLATEAU

National Forest(s) GUNNISON N.F. & BUREAU OF LAND MG'T.

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				H.R. 5470			H.R. 5426		
		Cattle	Sheep	1-25	26-50	50+	1-25	26-50	50+
GUNNISON N.F.									
CANNIBAL S&G	JOE JIMENEZ		1,000	X					
CALF/POWDERHORN S&G	JAMES HOLMAN		1,000			X			
POWDERHORN C&H	G.&J. YOUMAN	61				X			
CEBOLLA C&H	CLARENCE HOWARD	300		X					
BUREAU OF LAND MG'T.									
POWDERHORN PRIMITIVE	CLARENCE HOWARD	170				X			
	CLARENCE HOWARD	300				X			
	G.&J. YOUMAN	266				X			
	RAY FLOWERS		700			X			
	RAY FLOWERS		1,325			X			
	JAMES RYAN	31				X			
	JAMES & GLEN HOLMAN		2,150			X			

* expressed in terms of % of usable range rather than % of total allotment

Name of Area DAVIS PEAK National Forest(s) ROUTT

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				H.R. 2570			H.R. 2616		
		Cattle	Sheep	1-25	26-50	50+	1-25	26-50	50+
*ENCAMPMENT	[illegible] LIVESTOCK CO. WM. SAWLEY VIVEY BROS.	40 40 40			X		X		
*BIG RED PARK/SILVER CITY S&G	DUNCAN RANCH		1,100	X					
*MICA LAKE/BIG AGNES S&G	LARSON SHEEP CO		1,200	X					
FIRELINE SHEEP DRIVEWAY	ROCKY MTN. SHEEP CO. LARSON SHEEP CO. STRATTON SHEEP CO.		6,000	sheep trail thru this area spring and fall.					

* expressed in terms of % of usable range rather than % of total allotment

Name of Area FOSSIL RIDGE National Forest(s) GUNNISON

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				H.R. 5470			H.R. 5487		
		Cattle	Sheep	1-25	26-50	50+	1-25	26-50	50+
TAYLOR PARK C&H	TAYLOR PARK POOL (8 PERMITTEES) PALMER VATER, PRES.	2,731		X					
GOLD CREEK C&H	LEE TARAMARAZ	56				X			
WILLOW C&H	WALLY SLICK	60			X				
PITKIN C&H	LEE TERAMARAZ J.P. TERAMARAZ DAVID CROSSON RUDY RUDIBAUGH	107 158 119 40		X (slight effect)					

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area GREENHORN National Forest(s) SAN ISABEL

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		cattle	sheep	H.R. 5470			H.R. 5426		
				1-25	26-50	50+	1-25	26-50	50+
GREENHORN-MAES C&H	CLARENCE BAXTER	412				X			X
RED CANYON C&H	DON McDAVID	25				X			X
RYE C&H	INA POPE	18							X
WILLIAM CREEK C&H	BAR H RANCH	735					X		

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area LOST CREEK

National Forest(s) PIKE

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		cattle	sheep	H.R. 5470			H.R. 5426		
				1-25	26-50	50+	1-25	26-50	50+
* CRAIG PARK C&H	JOHN(?) VENZEMA	750		X					

* expressed in terms of % of usable range rather than % of total allotment

Name of Area [illegible]   National Forest(s) [illegible]

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				W.S. 5470			W.S. 5426		
		Cattle	Sheep	1-25	26-50	50+	1-25	26-50	50+
GU-DE-JUTPUL C&H	Slate River Pool Tim Allen Ochs Bros	700		X		X	X		

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area [illegible] National Forest(s) SAN JUAN

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				W.S. 5570			W.S. [illegible]		
		cattle	sheep	1-25	26-50	50+	1-25	26-50	50+
WEMINUCHE C&H	BJAD Co.	90				X			
DUDLEY C&H	LESLIE HALVORSEN	167				X			X
FISH LAKE	VACANT (Recreation Stock)					X			X
MOSCA C&H	FARGIN RANCH	250		X		*	X		
SHEEP CREEK C&H	FRANK WOMMER Jr. JAMES & LAVINA MARS	41 137				X			X
BEAVER-BALDY C&H	HUNTINGTON RANCH	464		X			X		

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area ST. LOUIS PEAK

National Forest(s) ARAPAHO

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		Cattle	Sheep	H.R. 5470			H.R. 5476		
				1-25	26-50	50+	1-25	26-50	50+
JONES -ST.LOUIS	DALE WELDON		1,200	X This allotment also extends into Vasquez and Williams Fork Areas/ Sum total of affect is over 50%.					

* expressed in terms of % of usable range rather than % of total allotment

Name of Area [illegible]　　National Forest(s) [illegible]

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		Cattle	Sheep	W.S. 5470			W.S. 5425		
				1-25	26-50	50+	1-25	26-50	50+
JONES - ST. LOUIS	DALE WELDON		(1,200)	X This allotment also extends into St. Louis Peak and Williams Peak Areas. Sum total of effect is over 50%.					

* expressed in terms of % of usable range rather than % of total allotment

Name of Area WILLIAMS FORK

National Forest(s) ARAPAHO
(Adm. by White River & Routt N.F.'s)

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area*					
				H.R. 5470			H.R. 5428		
		cattle	sheep	1-25	26-50	50+	1-25	26-50	50+
ROUTT N.F.									
JONES-ST. LOUIS S&G	DALE WELDON		(1,200)		X (This allotment also extends into Vasquez and St.Louis Peak areas. Total affect exceeds 50%)				
PTARMIGAN S&G	DALE WELDON		1,000			X			
WHITE RIVER N.F.									
BIG HOLE C&H	OLGA HILL EVELYN AVERY	205 25			X				
ACORN C&H	MELVYN LONG	100				X			
PIONEER C&H	H.T. POWELL	220				X			

* expressed in terms of % of usable range rather than % of total allotment

Name of Area SANGRE De CRISTO National Forest(s) RIO GRANDE & SAN ISABEL

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				H.R. 5470			H.R. [illegible]		
		cattle	sheep	1-25	26-50	50+	1-25	26-50	50+
RIO GRANDE N.F.									
*ALDER C&H	FILLMORE, MUSSO & TSCIOTTA	108		X			X		
COTTON-CHERRY S&G	VACANT		X			X		X	
RITO ALTO - CRESTONE	VACANT		X			X		X	
*DIMICK C&H	WM. HUTCHISON	24		X	(Little or no usable range affected.		X		
SAND CREEK C&H	JIMMY SLANE	50				X			X
MEDANO C&H	ROLAND WALTERS	50				X			X
SAN ISABEL N.F.									
GREASER C&H	THEODORE GOMEZ	35				X			X
HUERFANO C&H	M. McALPINE	200				X		X	

* expressed in terms of % of usable range rather than % of total allotment

Name of Area SOUTH SAN JUAN (V-ROCK TRAIL) National Forest(s) SAN JUAN

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		cattle	sheep	H.R. 5470			H.R. 5426		
				1-25	26-50	50+	1-25	26-50	50+
LAKE CREEK C&H	ABENECIO MUNOZ	50		X					
EAST HARRIS C&H	JOE & DANIEL VALDEZ	89				X			
WEST HARRIS C&H	JUAN LOPEZ & SON	75		X					
V-ROCK C&H	CHACON & MONTOYA	53				X			
SOUTH NAVAJO C&H	MIGUEL SANCHEZ	80				X			

* expressed in terms of % of usable range rather than % of total allotment

Name of Area SPANISH PEAKS National Forest(s) SAN ISABEL

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				H.R. 5470			H.R. 5475		
		cattle	sheep	1-25	26-50	50+	1-25	26-50	50+
WEST PEAK C&H	CUCHARA VALLEY RANCH	17				X			X
	OTTO GOMMER	37							
EAST PEAK C&H	MARY YOUNG	10				X		X	

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area SPRUCE CREEK National Forest(s) WHITE RIVER

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		Cattle	Sheep	B.H. 5470			B.H. 5426		
				1-25	26-50	50+	1-25	26-50	50%
SPRUCE CREEK C&H	VACANT	X				X		X	
HUNTER-MIDWAY S&G	VACANT (to be restocked soon)		(700)			X			X
RED MTN. C&H	STANLEY NATAL	72		X			X		

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area WEST NEEDLE National Forest(s) SAN JUAN

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
		Cattle	Sheep	H.R. 5470			H.R. 5426		
				1-25	26-50	50+	1-25	26-50	50+
NEEDLES S&G	VACANT		X		X			X	
CASCADE C&H	JOE &FRANCIS BOTTER	131		X					
WEST NEEDLE S&G	COOK RANCHES		900			X			X
BIG MOLAS S&G	PAULEK RANCHES		200		X			X	
DEER PARK S&G (Cunningham Gulch) and (whitehead s&g)	EMERY & BEATRICE HOLMAN		560	X			X		

* expressed in terms of % of usable range rather than % of total allotment

341

Name of Area WHEELER GEOLOGIC   Assigned Forest(s) RIO GRANDE

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				W.R. [illegible]			W.R. [illegible]		
		Cattle	Sheep	1-25	26-50	50+	1-25	26-50	50+
HALFMOON S&G) MONUMENT S&G)	ARTHUR SHARPLY		1,000			X			
WASSON S&G	FECUNDO MONTOYA		1,000			X			

* expressed in terms of % of usable range rather than % of total allotment

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Name of Area AMERICAN FLATS

National Forest(s) BUREAU OF LAND MANAGEMENT

Grazing Allotment	Permittee	Permitted No.		% of Allotment within Area					
				R.E. [illegible]			R.E. [illegible]		
		Cattle	Sheep	1-25	26-50	51+	1-25	26-50	51+*
DID NOT OBTAIN INFO FOR THIS AREA.									

* expressed in terms of % of usable range rather than % of total allotment

TESTIMONY OF

A. WALTER WISE
Counsel
AMAX Exploration

on

H.R. 5478 and H.R. 5426
The Colorado Wilderness Proposals of 1984

Subcommittee on
Public Lands and National Parks

of the
Committee on the Interior and Insular Affairs

May 1984
Washington, D.C.

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Mr. Chairman, my name is Walter Wise of AMAX Exploration and I am accompanied by Mr. Arnie Ward, Chief Geologist at the AMAX Henderson Mine.

AMAX Inc. is a diversified mining and energy company with operations worldwide. The company explores for, mines and sells a wide variety of minerals and metals. AMAX's principal products are molybdenum, coal, lead, zinc, copper, iron ore, petroleum and natural gas, potash, phosphates, nickel, cobalt, tungsten, silver, gold and magnesium.

AMAX operates two major molybdenum mines in Colorado and explores for minerals throughout the public lands of the Western United States.

Our testimony addresses our general concern with H.R. 5470, the Wirth/Hart wilderness bill and H.R. 5426, Congressman Kogovsek's bill. We will also provide specific data on seven proposed areas that we believe should not be included in the Wilderness Preservation System.

GENERAL CONCERNS

Mineralized Areas

AMAX's major concern with H.R. 5470 and to a much lesser extent H.R. 5426 is the amount of highly mineralized land being proposed for wilderness designation. As you know, the 1964 Wilderness Act has withdrawn all wilderness lands from mineral entry. Therefore, any new wilderness additions automatically prevent the industry from gaining any further knowledge of mineral potential in a wilderness area.

Exploration is essential on all of our public lands if we are to meet our national requirement for minerals self-sufficiency and avoid vulnerability to the whim of unstable developing countries for our mineral supplies. Unfortunately, almost none of the existing wilderness areas in Colorado or proposed wilderness areas in these bills have been thoroughly tested by modern exploration techniques. Moreover, some of these areas may be explored and rejected but later become the target of new exploration as exploration technology and mineral demands change. In order to meet this demand, it takes years of exploration to locate and define ore bodies before a decision can be made whether to develop it. Consequently, long periods of time are needed to explore and locate minerals, and lands need to be constantly reassessed as to their mineral value.

An example of old mining areas being reconsidered is the AMAX Mount Emmons molybdenum discovery. The fourth richest in the world, this ore body was discovered after about 100 years of mining activity at the nearby Keystone Mine and seven years of modern technological drilling by several companies in the area. The Henderson deposit, now one of our two operating Colorado molybdenum mines, was discovered after new geologic modeling breakthroughs indicated that certain kinds of mineral deposits piggyback each other at extreme depths and were combined with drilling advances which made deep exploration holes possible. No matter how carefully an area may be explored today, that evaluation needs to be revised as new exploration techniques provide new resource information. For this basic reason, AMAX is concerned with the increasing amount of acreage being withdrawn from mineral activity by wilderness designations.

In 1980, Congress increased Colorado's wilderness acreage to almost 2.6 million acres. Much of this lies in the three million acre Colorado Mineral Belt. This belt is one of the richest mineral regions in the world and extends from the north central portion of Colorado in a diagonal sweep down to the southwestern corner of the State. To date, approximately 600,000 acres of wilderness exist within this belt in Colorado and H.R. 5472 proposes to add another 200,000 acres.

A second general concern we have with H.R. 5470 is the precedent setting language establishing "de facto" wilderness in the Williams Fork Further Planning Area. H.R. 5470 requires the Forest Service to manage the area to maintain its existing wilderness character even though the area will not be designated wilderness. However, development of water resources in the area is expressly authorized regardless of the effect on wilderness character. The proposal basically establishes a de facto pre-1984 wilderness area where mineral exploration can occur albeit with little incentive and then only on a restricted scale. In contrast, water development can procede without wilderness restriction. It is AMAX's view that this proposal is unfair to other users in the area and establishes an unfortunate precedent. The area in question has been studied and restudied. The Forest Service has recommended against wilderness designation. Creation of a Further Planning Area somewhere between wilderness and multiple use lands only will invite disputes and unnecessarily complicate the Forest Service's managment responsibilities. We strongly recommend that the Williams Fork remain open to multiple use management.

H.R. 5426--SPECIFIC CONCERNS

AMAX finds the introduction of H.R. 5426 by Congressman Kogovsek much more in the spirit of the compromise adopted in the 1980 bill. For the most part, it does not include for wilderness designation major areas that have multiple use resource potential and, specifically, substantial mineral potential. Of concern to AMAX in H.R. 5426, however, is the 5500 acre Oh-Be-Joyful Wilderness Study Area located in Gunnison County.

- The Oh-Be-Joyful drainage has been extensively studied under the Forest Service's Roadless Area Review and Evaluation (RARE I & II) in order to determine both its wilderness and mineral potential. Both the Forest Service and the Carter Administration recommended that the area not be designated wilderness after the second Roadless Review.

Even though the Colorado delegation initially chose not to propose the area as wilderness in the various Colorado wilderness bills introduced in 1979, the 1980 Colorado Wilderness Act ultimately directed the Forest Service to again study the 5500 acre area to determine (1) its "suitability" or "insuitability" for wilderness, (2) to "review earlier Administrations' recommendations," and (3) to provide additional minerals information on the Oh-Be-Joyful drainage. In 1991, the Forest Service draft Environmental Impact Statement confirmed its original conclusion that the area was not suitable for wilderness designation. The final Administration Report has not been issued.

After extensive public comment and review, the Forest Service based its nonwilderness recommendation on two factors: (1) that there is no need for futher wilderness in the vicinity and (2) that substantial mineralization is known to exist in the area. The report states that over 463,000 acres of wilderness exist near the study area. In fact, the Forest Service suggests that placing Oh-Be-Joyful in wilderness decreases the possibility for broader recreational opportunities in the area. Under the East River Management Plan, which was the management direction before the 1980 Act passed, Oh-Be-Joyful was classified for primitive, nonmotorized recreation. However, the four-wheel drive road that penetrates the area would be open for recreational vehicle use.

With respect to mineral potential, the Forest Service has concluded that the high "mineral values in Oh-Be-Joyful and the inability to determine the specific mineral potential with wilderness designation" makes the area unsuitable for designation.

In conjunction with the RARE reviews and at the direction of Congress, the U.S. Geological Survey and the Bureau of Mines evaluated the area mineral potential in 1976, 1980 and in 1982. A consolidated report of their findings can be found in the recently published U.S. Geological Survey 1300 Mineral Survey Series. (Attached.)

The Report shows that high potential for numerous types of mineral deposits exists. Surface exposures of silver-lead-zinc veins are evidenced throughout the area, indicating very probable potential for a silver, lead and zinc resource. Sediments from Peeler Basin show copper and manganese mineralization and numerous precious metal occurrences exist in the southern region. High potential also exists for molybdenum, which is associated with the silver, gold and zinc occurrences.

Of major significance, and a prime factor in the attractiveness of the area for further exploration, is the Mount Emmons molybdenum deposit and the Redwell Basin Deposit which are adjacent and within one mile of the study area boundaries. AMAX discovered the Mount Emmons molybdenum deposit in 1977 as a result of exploration activities in the old Keystone silver mine. This deposit, located 1900 feet underground, contains 146 million tons of .43 percent molybdenum disufide and is one of the larger molybdenum ore bodies in the U.S. Given favorable market conditions, the Mount Emmons deposit could be mined, creating a major economic boost for the local area.

The location of the Mount Emmons mineral deposit, within one mile of the wilderness study boundary, is significant for two reasons:

(1) Future development of the Mount Emmons deposit could be limited. In order to develop a mine site, acreage is needed around deposits to construct the surface structures, such as a mill, storage houses, vent shafts and personnel buildings. A large surface area is necessary for waste rock, tailing, wastewater and storage reservoirs. The more flexibility in locating such facilities, the more accommodation can be made to such legitimate concerns as air quality, ground and surface water quality.

(2) The Mt. Emmons ore body is related to the same granite intrusive that underlies Redwell Basin to the south of the Oh-Be-Joyful drainage. This mineral trend, which extends from the southern end of the study area into the upper drainage, has extremely high potential for buried intrusives and thus molybdenum. The Bureau of Mines suggests the likelihood of smaller, similar deposits under the Oh-Be-Joyful drainage. Wilderness designation would curtail any further development of the Redwell Basin or potential Oh-Be-Joyful deposits.

Given the highly mineralized nature of this area, AMAX, as well as others, hold patented and numerous unpatented claims in Oh-Be-Joyful. AMAX is currently exploring the mineral potential in the southern end of Oh-Be-Joyful and has drilled just south of the study boundary, north of the creek. Although AMAX has not drilled within the study area, there are indications that considerable drilling may be necessary in the Oh-Be-Joyful drainage to determine the extent of mineralization.

In addition to the substantial evidence of metals present in Oh-Be-Joyful, the Bureau of Mines and the U.S. Geological Survey report that the potential for oil and gas, coal and uranium are also present. Almost one-half of the study area is underlain with numerous coal beds; extensions of the coal fields mined in and around Crested Butte since the late 1800s.

As late as 1981, oil and gas leases covered the major portion of Oh-Be-Joyful and drilling proceeded in 1981 within the study boundaries. Finally, the government's National Uranium Resource Evalution geologists have also reported that five uranium anomalies are within the Oh-Be-Joyful drainage; two in Democrat Basin, two in Peeler Basin and one northwest of Blue Lake.

In summary, U.S. Geological Survey and Bureau of Mines studies have concluded that substantial mineralization exists in Oh-Be-Joyful--enough to make it a serious prospect for the location of a major mineral deposit. The studies indicate, however, that further exploration is necessary in order to determine that potential.

H.R. 5470--SPECIFIC CONCERNS

- It is important to consider the Vasquez Peak, St. Louis Peak and Williams Fork areas together when evaluating the mineral potential of each. They all lie within the same geologic portion of the Colorado Mineral Belt, the Silver Plume Trend which holds the ore bodies for AMAX's Henderson and Urad molybdenum mines. This trend runs through the eastern portions of all three areas allowing for similar molybdenum-base metals mineral potential to exist in each area. Because of this very mineralized geologic trend, AMAX is presently exploring in both the Williams Fork and Vasquez Peaks areas and holds mineral claims in both.

The proximity of these three areas to the Henderson and Urad ore bodies is significant for several reasons.

(1) The potential for a similar type ore body as those found at the Urad and Henderson mines is relatively high. Experience and logic teach that similar ore bodies are more likely to occur close to each other given the history of the geologic formation. In fact, an old exploration axiom claims that the best place to look for a new deposit is near an old deposit. Given the mineral trends in this area, it is more probable that mineral deposits will occur in this same area than in other, less developed areas in the mineral belt.

AMAX presently holds 164 claims in the eastern portion of the Williams Fork FPA and a smaller block of claims in the eastern portion of the Vasquez Peaks area. All three areas will continue to be active exploration areas for the Company.

(2) To place wilderness boundaries immediately adjacent to the existing Henderson Mine and Mill not only potentially frustrates existing operations but would more than likely prevent any future expansion or development of an adjacent

ore body. As it is, AMAX constructed the Henderson Mill 15 miles from the mine site and trains tunneling under the Continental Divide transfer the ore from the mine to the mill. The narrow haulage tunnel corridor, where a vent shaft is located on the surface, would be the only strip of land left out of wilderness. The three proposed areas, St. Louis Peaks, Vasquez and Williams Fork would almost completely surround the existing mine and mill sites. Furthermore, any emergency work on the tunnel from the surface would be prohibited.

Future development of an ore body would be very attractive since existing facilities are already in place helping to defray the high costs and mitigate the environmental impacts associated with mine development. But even limited expansion and especially any further development would most likely be impossible if the three areas are included in wilderness.

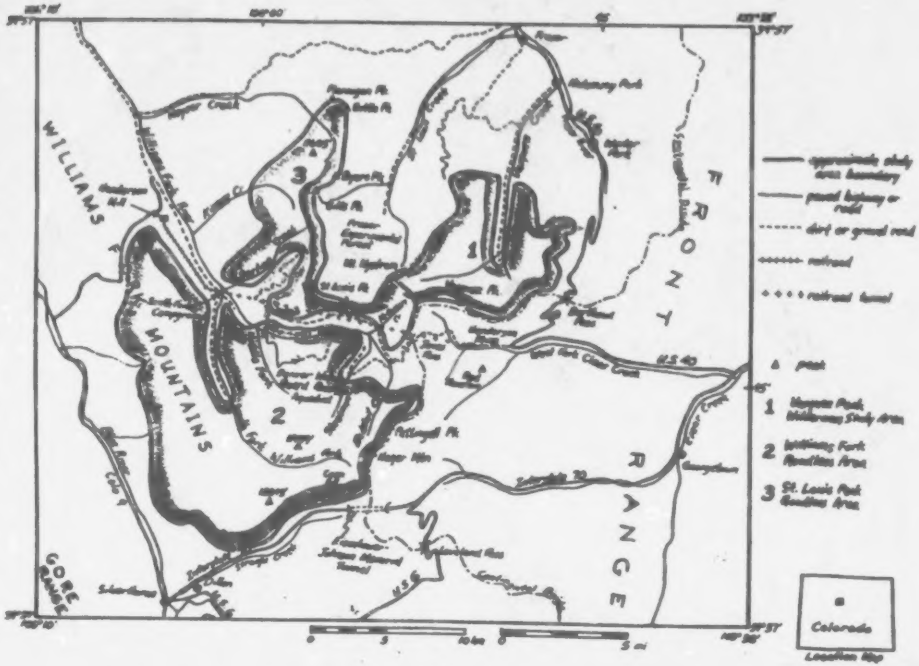
It also should be noted that a road, while not open to the public, extends from Steelman Creek west to the Middle Fork of the Williams Fork cutting through the heart of the northern portion of the FPA.

- Another Wilderness Study Area of concern to AMAX is the South San Juan Study Area which encompasses AMAX's Quartz Creek claim block. Core drilling has encountered significant porphry-style molybdenum-copper mineralization which needs to be explored more thoroughly in the future. Wilderness designation of this area would prevent AMAX from doing so.

- Two other areas that should not be placed in wilderness are the Spanish Peaks Area and the Fossil Ridge Area. Spanish Peaks contains patented mining claims and appears to have good gold mineralization. The Fossil Ridge Area has been actively explored by numerous companies including AMAX. Interest in the area has ranged from uranium to molybdenum and gold.

AMAX also endorses the recommendations of the Mineral Exploration Coalition and the Colorado Mining Association which detail the known mineralization of the majority of areas being recommended as wilderness in several of the bills. Fossil Ridge, Spanish Peaks, Buffalo Peaks and portions of the Sangre de Cristo all have favorable potential for further mineral exploration--exploration that could not occur under wilderness status.

We appreciate the opportunity to present our views on H.R. 5540 and H.R. 5426.


WILLIAMS
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Interstate 70
Georgetown
Silverthorne
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railroad
railroad tunnel
peak
1 Vasquez Peak Wilderness Study Area
2 Williams Fork Roadless Area
3 St. Louis Peak Roadless Area
0 5 10 km
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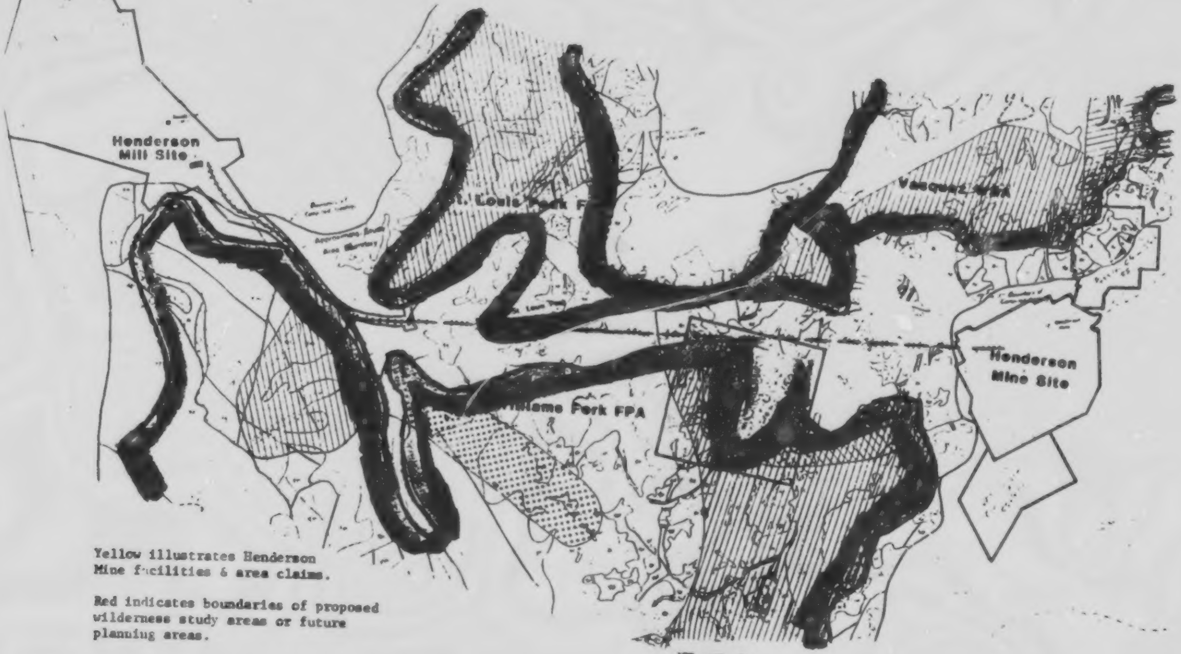
Colorado
Location Map

Figure 1.--Location of the Vasquez Peak Wilderness Study Area, and the Williams Fork and St. Louis Peak Roadless Areas, Colo.

Department of the Interior
United States Geological Survey

Map MF-1588-A


Henderson Mill Site
St. Louis Fork F
Vasquez WSA
Henderson Mine Site
illiams Fork FPA

Yellow illustrates Henderson Mine facilities & area claims.

Red indicates boundaries of proposed wilderness study areas or future planning areas.

STATEMENT

OF

LARRY MCDANIEL

OF THE

ARCO EXPLORATION COMPANY

BEFORE THE

HOUSE INTERIOR SUBCOMMITTEE ON PUBLIC LANDS

WASHINGTON, D. C.

MAY 10, 1984

TESTIMONY ON COLORADO WILDERNESS

My name is Larry McDaniel. I work for ARCO Exploration Company, an operating company of Atlantic Richfield Company. Atlantic Richfield is primarily a domestic producer of oil and gas and minerals. Therefore, we are very concerned with the management of our nation's public lands. We believe it is essential for Congress to decide on a Colorado wilderness bill which will provide a balance of multiple uses. Atlantic Richfield Company is not opposed to the concept of wilderness. On the contrary, we recognize that wilderness lands are an important part of our national heritage. We do not believe, however, that lands containing energy and mineral resource potential should be designated as wilderness. It is imperative that priority consideration be given to exploration in those areas which contain potential for energy and mineral reserves before a long-term decision, such as wilderness is made. Atlantic Richfield believes that areas should be explored for their energy and mineral potential prior to permanent placement in a highly restrictive single-use management prescription, such as, wilderness.

When a wilderness system was first contemplated, proponents emphasized that only a limited amount of land was to be included and therefore, the impact on energy and mineral resources minimized. The first 14.3 million acres that were designated as wilderness in 1964 were considered an "almost miniscule fraction" of the nation's land. But as those acres designated as wilderness have mounted through the years, the land possibilities for competing interests outside of wilderness have declined while the interpretation of what uses are allowable in wilderness has narrowly constricted the actual use of those lands including an effective ban on legally permissible energy and mineral activities under the 1964 Wilderness Act.

The reach for more land to be placed in wilderness -- off-limits and inaccessible to all but a limited sector of a growing population -- has met with increasing resistance as it has become evident that proponents are unwilling to consider alternate non-exclusive uses of the land in their eagerness to declare wilderness the highest and best use.

As a result of previously enacted legislation, Colorado already has over 2.6 million acres of wilderness. Another 500 thousand acres were designated wilderness study areas in 1980 via the Colorado Wilderness Act. An additional 170 thousand acres are allocated to further planning by the RARE II process. Furthermore, BLM is currently conducting a wilderness study in

Colorado which involves approximately 800 thousand acres on which Congress will be making additional wilderness designations in the future. Taking into consideration the vast acreage already included in the Wilderness System in Colorado, we believe that further wilderness designations must be made with extreme care. As a result, energy and mineral potential must be given careful consideration during deliberations as to which areas should be added to the Wilderness System.

Land placed in wilderness remain so in perpetuity until Congress determines otherwise. It seems only reasonable that land unsuitable for wilderness be returned to multiple use management in perpetuity until Congress determines otherwise. As stated previously, we are not opposed to the concept of wilderness designation; however, we are opposed to lands being tied up in "de facto" wilderness. When Congress makes its decisions as to which areas should be designated wilderness, there is a concurrent responsibility to release areas deemed unsuitable for wilderness to other uses. The agencies responsible for managing public lands need to have some certainty as to how they should manage these lands.

One area of particular concern is the Sangre de Cristo proposed wilderness area located in the San Isabel and Rio Grande National

Forests. We are opposed to the boundaries proposed in both the House and Senate versions of the Colorado Wilderness Act. It must be pointed out that all of the Colorado legislation introduced to date has expanded on the Forest Service's original boundary recommendation for the Sangre de Cristo wilderness. Atlantic Richfield Company currently holds oil and gas leases in the southern portion of the Sangre de Cristo Range as well as 57,000 acres of lease applications along the eastern flank of the range. In an effort to avoid a conflict and insure lease issuance (as provided for in the 1980 Colorado Wilderness Act), these lease applications were filed using the Forest Service's proposed wilderness boundary as specified in the Draft Environmental Impact Statement and Proposed Land and Resource Management Plan for the Forest. Nevertheless, these lease applications remain unissued due to the passage of consecutive appropriations bills which prohibit funding for processing permits and lease applications in areas under study for wilderness. Atlantic Richfield made a concerted effort to minimize any conflicts with the Forest Service's wilderness recommendation. However, our lease block is included in the proposals of Senator Gary Hart and Representative Tim Wirth. In addition, these proposals extend the boundary recommended by the Forest Service to include approximately 85 percent of our lease applications. The legislation introduced by Representative Ray

Kogovsek does not impact our interests as heavily in that our leases and portions of our lease applications are excluded. However, due to the oil and gas potential of the area, we urge that further boundary modifications be implemented to exclude our interests.

ARCO Exploration's proprietary seismic information, when seen together with information from Sheep Mountain wells and other wells in this area, and tied to surface geologic mapping, indicate major thrusting in this area. Because hydrocarbon source rocks exist in the area, this thrusting may have caused structural traps which could contain oil and gas. Based upon this information, it is our belief that the eastern portion of the Sangre de Cristo Range has significant potential for oil and gas reserves.

It is our understanding that the Forest Service is currently modifying its boundary recommendation for the Sangre de Cristo proposed wilderness as a result of public comment and further resource evaluation. Further, as a result of information supplied to the Forest Service's Rocky Mountain Region, their mineral evaluation for the eastern flank of the Sangre de Cristo Range from Slide Mountain north to above Hillside is being upgraded from no potential for oil and gas to medium potential.

The report should be available for public review in the very near future. This report will be utilized by the San Isabel Forest during the decision-making process on the new boundary proposal for the Sangre de Cristo proposed wilderness.

In conclusion, we urge that Congress modify the boundary of the proposed Sangre de Cristo wilderness area to the proposal shown on the enclosed map. ARCO Exploration believes that the geologic favorability for oil and gas extends well into the Sangre de Cristo Range. Our land position would have been greatly expanded had the area not been under wilderness consideration. Therefore, our lease applications represent a compromise position in itself. Should we be compromised further, the viability of this play would be lost. We believe that this boundary will provide adequate wilderness and increase nonwilderness recreation uses, while allowing further exploration and possible development of much needed domestic supplies of oil and gas.

We appreciate this opportunity to present our testimony to the subcommittee. I will be happy to answer any questions you may have.

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TESTIMONY OF
L. COURTLAND LEE
on behalf
of the
MINERALS EXPLORATION COALITION
on the
COLORADO WILDERNESS BILLS
H.R. 5426, H.R. 5470

before

Subcommittee on Public Lands & National Parks
Committee on Interior and Insular Affairs
U.S. House of Representatives

May 10, 1984
Washington, D.C.

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TESTIMONY ON
COLORADO WILDERNESS BILLS

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Mr. Chairman and members of the subcommittee, my name is L. Courtland Lee. I am a consulting geologist and the Washington Representative for the Minerals Exploration Coalition. The MEC is a non-profit, membership organization concerned with public land issues. Our members are engaged in the exploration for hard rock minerals on public land. We represent major companies, such as AMAX Exploration, Anaconda, Asarco, Chevron, Getty, Homestake, Molycorp, Noranda, St. Joe, Superior, Sunshine, and U.S. Borax. We also represent individual exploration geologists who have a vital interest in the issues surrounding access to public land because it can mean the difference between working as a geologist and being unemployed.

Today we are commenting on two different wilderness bills for the State of Colorado: H.R. 5426, introduced by Cong. Ray Kogovsek; and H.R. 5470, introduced by Cong. Tim Wirth. There are major differences in the bill that we would like to address:

(1) The acreage difference has probably received the most attention; however, it is only fair to mention that Cong. Kogovsek did not include any areas in his bill that were not in his Congressional District, in keeping with Congressional tradition. Also, the Kogovsek bill does not include any of the roughly 44,000 acres managed by the Bureau of Land Management.

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(2) The Wirth bill includes acreage in seven areas that was released in the 1980 Colorado Wilderness Act. According to the Forest Service report, additional acreage was included in the Fossil Ridge; Piedra; Sangre de Cristo; West Needles; Wheeler Geologic Study Area; Davis Peak; and Service Creek areas.

We believe that the Wirth bill should be amended to exclude any acreage that had been released in the 1980 Colorado Wilderness Act. If this is not achieved, the compromise that was reached last week between the Senate and the House on the issue of "release" language will ring hollow indeed. It is also necessary to amend any version of a Colorado wilderness bill to include the compromise release language in the statute and the clarifying committee report language.

(3) The other major difference between the Kogovsek and Wirth bills is one of total number of areas. Every area that was included in the 1980 Colorado Wilderness bill as a Congressionally Designated Wilderness Study Area or Further Planning area in RARE II is included in the Wirth bill. Because of various resource conflicts, those same areas were not included in the wilderness system four years ago and further study and planning was mandated.

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The new studies and planning has not persuaded the wilderness proponents to resolve any of the conflicts; it seems that they felt it was only delaying the inevitable to designate these areas as wilderness. Cong. Kogovsek has studied the issues surrounding wilderness designation for these areas over the last four years and has introduced a bill that attempts to balance the competing economic, recreational and preservation interests.

SPECIFIC AREA CONCERNS

The Minerals Exploration Coalition has adopted a policy position that opposes the designation of areas with mineral resource potential as wilderness. We feel we must take that "extreme" position because the deadline for allowing exploration in wilderness areas expired last December 31. While the MEC generally favors the Kogovsek bill, there are certain areas of concern.

The Minerals Exploration Coalition, in cooperation with the Colorado Mining Association, reviewed each of the areas included in the 1980 Wilderness Act as study areas or further planning areas, and compiled a book outlining the mineral potential of each of the areas, together with suggested boundary changes in certain instances. Information included in the recently released U.S. Geological Survey's Professional Paper 1300 that documents the results of the government

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mineral surveys in wilderness areas was also included. We ask that this information be included in the official hearing record.

MEC opposes designation of the Spanish Peaks area because of the mineralized area near its center and proposes boundary changes to exclude mineralized areas from the Sangre deCristo and Greenhorn Mountain areas. The areas near Silverton and Lake City are near areas of high mineral potential (West Needles, et al). The Service Creek and Piedra areas have insufficient evidence concerning the presence or absence of minerals to make a sound recommendation. The Minerals Exploration Coalition does not oppose designation of the Spruce Creek area as wilderness.

The MEC is particularly concerned about the Oh-Be-Joyful area and opposes its designation for two reasons. It is highly mineralized according to mining company data and the U.S. Geological Survey and Bureau of Mines survey. However, we are also concerned about the buffer-zone-effect of wilderness areas whereby not only is mining activity restricted within the designated wilderness but outside as well. The Mt. Emmons deposit nearby has been explored and, except for adverse economic market conditions, probably would have been brought into production before now. We believe it will produce at some later date. This deposit has been the subject of

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controversy, and we believe that the designation of a wilderness nearby would add to that controversy thus causing delays and increased costs. Ultimately, the production of less minerals into the Colorado, United States, and world economies would result.

AREAS INCLUDED ONLY IN THE WIRTH BILL

The MEC has the following recommendations for areas included only in the Wirth bill:

The Fossil Ridge area is highly mineralized over most of its extent and should not be designated a wilderness area. A boundary change is recommended for the Buffalo Peaks area. Because of high mineral, coal or oil and gas potential in or near the areas, we oppose the designation of South San Juan, Wheeler Peak, Big Blue, and Davis Peak areas. We have proposed a boundary change in the Cannibal Plateau area, but we understand that the southwest portion may contain an area of interest to the snowmobile-recreation interests. The Vasques Peak, St. Louis Peak, and Williams Fork areas are located near each other. Each has high mineral potential, and the operating Henderson Mine is situated nearby. These factors indicate that these areas should not be designated wilderness. We do not feel that the "wilderness management area" classification for the Williams Fork area would be a good precedent for wilderness management.

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Lakewood, Colorado

W. Glen Zinn*
Englewood, Colorado

*Executive Committee member

The data is not sufficient in the Lost Creek area for MEC to make a sound recommendation.

WILDERNESS AND THE PLANNING PROCESS

In a copy of "Suggested Standard Report Language for Wilderness Review Concerns Section," we noted a section on the last page that reads as follows: "With the National Forest Management Act planning process now in place, the Committee wishes to see the development of any future wilderness recommendations by the Forest Service take place only through that planning process, unless Congress expressly asks for other additional evaluations." We have no problem with that language; however, we are concerned that once an area is designated wilderness, it is removed from the land use planning process. We would like to see a dynamic, land-use planning system developed whereby new information and needs can be addressed when a plan is revised and land use classifications reviewed. In such a system, areas of high mineral potential inside wilderness areas would be considered for reclassification and those areas of high wilderness potential that are not yet in the National Wilderness Preservation System could be considered for inclusion.

PRESENTATION OF ROSALYN MCCAIN ON H.R. 5470 AND H.R. 5426 BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS OF THE HOUSE INTERIOR AND INSULAR COMMITTEE, MAY 10, 1984.

I am here to support the Tim Wirth 1984 Colorado Wilderness Bill, H.R. 5470. My name is Rosalyn McCain. I live in the Gardner-Redwing Area in Huerfano County in Southeastern Colorado. Three of the proposed wilderness areas in Colorado are in Huerfano County and are easily accessible to my family and to residents of Huerfano County as well as those from outside the county. I am Vice-President of the Huerfano Valley Citizens' Alliance and represent the 115 members of the Alliance here today. Many of these people live on property which either borders on National Forest land or live very near the Forest Service boundaries. They join in support of wilderness preservation for the areas proposed in Huerfano County.

Wilderness preservation is very important to me and my family. I was born and raised in Denver and have lived in Huerfano County for eight years. I spent as much time as possible in the mountains during my junior high and high school years -- mostly through Girl Scouting. In college at CSU in Fort Collins, I again spent much time exploring the mountains in northern Colorado.

My husband and I settled in southern Colorado after travelling in Central America, Europe, Asia and Africa and living in Alaska for seven years. One major reason for choosing this area of southern Colorado for our home was the large number of mountainous wild areas available to us. We first lived in La Veta and enjoyed hiking in the Spanish Peaks area. After moving to Gardner, we have been continually delighted with the variety of mountains, good hiking and wildlife available to us.

My husband first carried our son, Emil, to the top of Greenhorn when he was ten months old. Each summer we have hauled him along up to Blanca Basin, Lily Lake, Music Pass and over Mosca Pass to the Sand Dunes. He is now five years old and can negotiate these hikes on his own. He hopes to go to Lost Lake with his Dad this summer, and we all would like to hike the trail from Music Pass down Sand Creek to the Sand Dunes one summer. My mother, who is 72, comes down every summer to hike over Mosca Pass to the Sand Dunes and to count the number of wildflowers she finds each year in Blanca Basin.

I use these examples to illustrate that these areas are hikes that can be enjoyed by young and old alike and that are easily accessible to people on the front range of Colorado. People use these areas from Huerfano County, from Pueblo, Clorado Springs and Denver. We meet people from out-of-state frequently on the trails. This part of Colorado is easily accessible to people from Kansas, Oklahoma, Texas and New Mexico, and more and more people are coming to enjoy the wild mountainous areas of Colorado.

As Colorado's population grows, the pressures on wilderness areas increases. These areas will be used more and will become more precious in future years. Huerfano County is a very depressed area economically, having the sixth lowest per capita income in Colorado. I work with the Gardner Community Corporation, which is a non-profit corporation set up in 1980 to work constructively to improve the quality of life in the Gardner area. The Gardner Community Corporation encourages the economic growth that tourism can bring to our area. If these three areas in Huerfano County are designated as Wilderness, they will remain as a valuable economic asset to the residents of Huerfano County for years to come. As part of the wilderness system, they will endure as a priceless asset to the residents of Huerfano County, of Colorado, and of the rest of the country.

One reason people in our area are very concerned that Greenhorn, the Spanish Peaks, and the Sangre de Cristos be designated as wilderness is because of our experience with the ARCO Sheep Mountain CO_2 project in our neighborhood. My family used to hike on Sheep Mountain. We know now that once oil and gas leases are developed, that these areas are no longer available to the public and are changed so much that they are no longer able to be considered wild. We understand that this particular operation is one of the least damaging and cleanest possible, and yet we still see that it has taken our wilderness away from the enjoyment of the people and leaves it in an industrialized state far from its original as accessible wilderness. The area is off limits to residents unless you are employed by ARCO and have millions of dollars worth of insurance coverage to drive in the area at all.

I would like to discuss the reasons I am supporting the Tim Wirth Bill over the Ray Kogovsek Bill. The Tim Wirth Bill includes the lower slopes of the Spanish Peaks. There has been some debate about the small private inholdings in the area of the lower slopes. The Forest Service has tried to acquire those private holdings and has purchased a number of these pieces in the last four or five years. The remaining pieces are used mainly for grazing. This is not an incompatible use of wilderness area lands, and should not be held as a reason to exclude these areas from the wilderness designation. I would urge that the Tim Wirth boundaries be used because the Spanish Peaks are used so extensively for recreation by residents of Colorado and by out-of-state tourists. The area is so interesting geologically that it is recognized nationally for its outstanding geology and is sought out by travellers for its wild beauty. These people are attracted to the wilderness experience available to them in the Spanish Peaks Wilderness Study Area.

The Sangre de Cristo Range includes eight 14,000 foot peaks, 112 peaks over 13,000 feet and 71 peaks over 12,000 feet. It contains 135 lakes larger than one acre. Sixty percent to 70 percent of the area is above timberline. It is the largest roadless area in the state. When seen at sunset with the snow-capped peaks touched with pink and red, this area provides a breathtaking vista. Then we see why it was named Sangre de Cristo or "Blood of Christ."

The boundaries which the Ray Kogovsek Bill recommends for the southeast end of the Sangre de Cristo Range leaves out the jewel of the area, the peak of Mt. Blanca. To run the boundary so that it includes Lost Lake and not Lily Lake seems to be a real shame. Lily Lake is far more accessible and is visited by many more people than Lost Lake. It seems to me that areas that people can get to and can enjoy should be included. Wilderness areas should not be there for the enjoyment of technical climbers and expert hikers exclusively. They should be available to youth and to older citizens. This is the reason that

Blanca Basin should be included along with Lily Lake and Mt. Blanca in the Sangre de Cristo Wilderness Area as Tim Wirth has done in his bill.

Another problem in the Sangre de Cristo Wilderness Area is the Rainbow Trail. The Rainbow Trail is presently open to motorbike travel. It seriously jeopardizes the integrity of the Sangre de Cristo Wilderness Area because it is just too tempting for people to go off the designated trail and up side draws and canyons into the wilderness area. The Rainbow Trail should be included in the Wilderness Area and should be closed to motorized vehicle traffic. There is no lack of roads and trails available to motorcycles. Streets, roads, backroads and four-wheel drive trails are plentiful and accessible to motorbikes.

The boundaries which Tim Wirth proposed for Greenhorn should be used where there is a difference on the western side of the area. The Kogovsek boundaries pull away from the Forest Service boundaries in the Turkey Creek area. There is no need to exclude this area from the Wilderness Area. It is accessible to residents for hiking and is not used for other purposes. Residents in the area are supportive of that area being included in the wilderness area designation.

These three areas, Greenhorn, the Spanish Peaks and the Sangre de Cristos are all three very special areas. They are special in their entirety, and should not be chiseled away. There have been no negative changes in the areas since the Forest Service designated them as wilderness in the RARE II process. Wilderness areas encompass only 3% of the total land in the United States. We must ensure that this small amount of our land remains protected for future generations in this country.

My son uses wild areas as his school. He knows where to look for lizards and horny toads, how to tell the different kinds of trout, where and at what times of day to look for deer and where we are likely to sight a bear. He loves to see the Great Blue Herons when they come through. These are things he cannot learn in a classroom, and they are things which are very important to him. A local organization, the Valley Scouts, takes local kids and adults on hikes in these wild areas every summer. We have an obligation to make sure these precious wild places still exist in as pristine a way as they do now for future generations to learn from, for future artists to seek out and for tired housewives to find their solice and solitude and to give us all their beauty and majesty for our inspiration.

It is important that there is a place for wild things. The birds of prey, the deer, the fox, our bighorn sheep, bear, elk, mountain lion as well as the marmot, pica, lizard and coyote must be protected and encouraged. We must see the wisdom of preserving as much of the wonderlands that are Southern Colorado's jewels as possible.

Thank you for the opportunity to speak in defense of the Tim Wirth Colorado Wilderness Bill, 1984. I hope that you will pass the boundaries that he has proposed and preserve what is so precious to us for future generations to enjoy.

STATEMENT OF SHARYL A. KINNEAR
ON HR 5470 AND HR 5426
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS
OF THE HOUSE INTERIOR AND INSULAR COMMITTEE

MAY 10, 1984

Mr. Chairman and distinguished members of the subcommittee:

My name is Sharyl Kinnear. I live in Grand Junction, Colorado. I am on the Board of Directors of the Colorado Open Space Council and am a member of that organization's Wilderness Steering Committee. I am also the coordinator of the Adopt-A-Bureau of Land Management Wilderness Study Area Program (Adopt-A-BLM WSA Program).

To begin with, I wish to express my support of HR 5470 with the addition of the Williams Fork Area.

My statement today concerns itself with three proposed Wilderness Areas, namely, the Cannibal Plateau/Powderhorn, West Needles-Weminuche Wilderness Area Additions, and Piedra areas.

Cannibal Plateau/Powderhorn

As coordinator of the Colorado Adopt-A-BLM WSA Program, I am concerned and disappointed that the Cannibal Plateau/Powderhorn area is omitted in HR 5426.

The proposed Cannibal-Powderhorn Wilderness includes the Bureau of Land Management's (BLM) Powderhorn Primitive Area, the Forest Service's Cannibal Plateau Further Planning Area, and a portion of the BLM's SLumgullion Slide Wilderness Study Area.

Powderhorn is the only BLM Primitive Area in Colorado and together with Cannibal Plateau represents the lafgest alpine tundra area south of Alaska. The area offers sweeping vistas of surrounding mountainous landscape.

In 1980, the BLM officially recommended that the Powderhorn Primitive Area be designated as a "Wilderness Area" by Congress in their Draft Environmental Imapact Statement for that area. The Final Environmental Impact Statement is due in the next couple of weeks. The Administration is expected to forward a legislative package to Congress in the near future which will include the recommendation that Powderhorn be designated as Wilderness. Therefore, it is timely that the Cannibal Plateau/Powderhorn area be designated as Wilderness in the 1984 Colorado Wilderness Act.

I laud HR 5470 for its inclusion of the Cannibal Plateau/Powderhorn area, and hope to see this area gain its official wilderness status.

West Needles WSA-Weminuche Wilderness Area Additions

The West Needles WSA-Weminuche Wilderness Area Additions contain some of the most rugged peaks in the entire San Juan Mountain range. Below these rugged mountain peaks are several cirque basins, cut by past glacial action which contain cold, cascading creeks. The glacial carved, majestic valleys are nestled between a number of 13,000 foot peaks. The Animas River carves a 5,000 foot deep gorge through the proposed Wilderness Area.

HR 5426 deletes the northwest portion of West Needles WSA (East Lime Creek) which consists of rolling open meadows- a diverse contrast to the steep, rugged peaks within most of the West Needles WSA and Weminuche Wilderness Area Additions. It is a popular area for cross-country skiing and therefore, I support the boundaries as drawn in HR 5470 which includes this northwest portion.

HR 5426 deletes the southeast portion of Needle Creek WSA, near Emerald Lake, which is quite bewildering. The boundaries as proposed in HR 5426 result in an island of non-wilderness Forest Service (FS) land surrounded by Wilderness FS land. This island of non-wilderness presents a manageability problem for the FS. Reasons have surfaced regarding the rationale for omitting that island of land from the remainder of the Wilderness Area. One reason states that this excluded area would provide a site for which visitors could helicopter into and visit the Emerald Lake area. If you refer to a topographic map of the area, you will notice that access is provided into that same area by a foot trail. Another claim is that this area was drawn out so that water rights could be developed at Emerald Lake. Again, if you refer to a topographic map of the area, it appears that Emerald Lake could possibly be a part of the existing Weminuche Wilderness Area. (The boundary shown on the map is an unsurveyed line). In my estimation, both of these uses, if allowed, would create an unnecessary intrusion into the Wilderness Area. Therefore, I cannot support the boundaries proposed in HR 5426 and must ask that the boundaries as proposed in HR 5470 be adopted.

To summarize, the boundaries proposed in HR 5470 best suit the West Needles WSA-Weminuche Wilderness Area Additions because of enhanced wilderness diversity and integrity and also takes into account manageability of these lands as wilderness.

Piedra

The Piedra WSA encompasses the foothills of the San Juan Mountains. The Piedra River flows through the pristine forests of the area and forms two sheer-walled box canyons. The Piedra River is also a candidate for inclusion in the National Wild and Scenic Rivers System.

The major tributaries of the Piedra are Sand Creek, First Fork, Sheep Creek, and Indian Creek. This watershed produces over 41,000 acre feet of high quality water which is essential for livestock, wildlife, fisheries, recreation, irrigation, and domestic uses. Wilderness designation is the best way to protect the water quality of the Piedra watershed from unnatural sedimentation.

The Piedra WSA received the highest wilderness rating by the FS, out of 38 Roadless Areas studied in the San Juan National Forest, during their Roadless Area Review and Evaluation II in Colorado.

Once again, I must concur with HR 5470's boundaries as proposed for this area.

HR 5426 lops off the west portion of the Piedra area around Mosca Creek below Slide Mountain. It is crucial this area be included in the Piedra Wilderness as it is the last unroaded elk migration corridor from the Weminuche Wilderness Area to the winter range located south of Piedra WSA.

HR 5426 excludes the Little Sand Creek-Weminuche Creek drainage area. This area serves as critical River Otter habitat. River Otters, a State endangered species, were reintroduced into the Piedra River drainage in 1978. Exclusion of this northeast portion of the unit allows for degradation of that critical River Otter habitat, and also leaves out a fine area for fishing and a trail which would be a nice point of access into the Wilderness Area.

To reiterate, I strongly recommend that HR 5426 expand its boundaries to meet the boundaries as proposed in HR 5470 for the proposed Piedra Wilderness Area.

CONCLUSION

To summarize my statement today, I support the boundaries proposed in HR 5470 for the areas of Cannibal Plateau/Powderhorn, West Needles WSA-Weminuche Wilderness Area Additions, and Piedra. I feel that the boundaries in HR 5470 best suit the areas in terms of ecological diversity, wilderness integrity, and manageability.

Thank you for this opportunity to express my support for HR 5470.

Friends of Wheeler
P.O. Box #54 Alamosa, Colorado 81101

Representative John Seiberling
House Office Building
Washington D.C.
20515

May 4 1984

Dear Sir

I have been living in the San Luis Valley for nearly twenty years now and will continue to live here because of the spectacular and varied scenery , from barren sand dunes to lush alpine meadows. Being a landscape artist, I have an obvious interest in the relatively undisturbed vistas found here.

I commend you for the work that you did on the Colorado Wilderness Act of 1980. It is now time to protect the remaining Colorado wilderness not dealt with in that act. I hope this letter will help you to arrive at a sensible and just bill that mirrors the efforts of Senator Gary Hart. I wish to aid your endeavor with insight and support for the areas that I am most familiar with , indeed some that I view with daily joy.

The highly visible Sangre de Cristos are obviously due for wilderness designation. I recommend Hart's boundary for the area, a result of conservationists' studies and Forest Service proposals. Designation has local support because of its apparent wildness and daily inspirational presence.

The San Juan Mountains are also a daily presence here. The proposed additions to the South San Juans will help round-out the existing w ilderness with important wildlands essential to species that cannot tol rate intrusions into pristine areas. The Colorado Division of Wildlife has identified the Montezuma Peak area as an essential elk habitat. The V-Rock addition would add diversity to the existing wilderness.

The remainder of this letter will deal with Wheeler Geological Study Area, an area that I have known and loved since the late 60's. I support Sen. Hart's boundary for the area and would like to highlight the reasons for this.

1. The inter-agency study mandated by Public Law 96-560 resulted in a field trip taken by personnel from both the Forest and Park Services. The resulting draft trip report is enclosed for your inspection. From this document it can clearly be seen that wilderness designation is the "obvious sure method of preserving the area." (page 6)
   a. Under the topic THREATS TO THE AREA (page 3) - " Other threats to the area consist of potential destruction of the natural setting by INSENSITIVE TIMBER HARVEST ACTIVITIES, POSSIBLE MINING ACTIVITIES, UNCONTROLLED PUBLIC USE AND RECREATIONAL DEVELOPMENT SUCH AS ACCESS ROADS AND CAMPING AT THE BASE OF THE GEOLOGIC FEATURE. (emphasis my own).

      Anything short of wilderness protection will incur the above threats to the area.
   b. The Colorado Wilderness Act of 1980 also directed the study team take into account access to the area by the elderly and handicapped. The study report states on page 4 , " A one mile hike into the geologic area will create a problem for the elderly and handicapped. The loop trail up to and around the geologic feature presents some STEEP GRADES that will PRESENT PROBLEMS FOR THOSE PEOPLE THAT ARE NOT ABLE TO WALK AT LEAST ONE MILE." Even with present access to the area, elderly and handicapped cannot overcome the nature of the geologic area itself. Our proposal offers a compromise between people who wish the existing jeep road remain open and those who feel that the road should be closed at Hansen's Mill (site). Our proposal would allow vehicular access to within three miles of the geologic area. Foot travel would then occur over the mild terrain of Silver Park.
2. There are no current conflicts with other resources in the proposed wilderness. The timber in the area has been removed from the harvest potential according to the Rio Grande National Forest Draft Management Plan. A recent USGS study showed the area to have no commercial mineral potential. Livestock activities would not be affected.

2 (cont.) Wildlife species within the area would be enhanced by wilderness protection especially the elk within the area. Access restrictions to the Farmer's Creek drainage [illegible] in the past have greatly improved the herd.

3. Wheeler Geological Area has been declared a Colorado Natural Area for its outstanding features and Governor Richard Lamm supports wilderness for the area.

4. There is considerable wilderness support for Wheeler in the San Luis Valley, Creede and Colorado.

Petitions over the years have netted 631 endorsements by locals in support of wilderness. Comments on the RARE II process showed overwhelming (97%) support for wilderness although these were not all local. Rio Grande National Forest planning comments unofficially showed a 50% local support for a Wheeler wilderness. A benefit dinner held here in Alamosa in April of 1983 to aide in securing wilderness designation for Wheeler and the Sangre de Cristos had over 50 people in attendance. There are at least a dozen people in Creede who support wilderness for Wheeler. More support would emerge if it were not for past instances of vandalism to possessions and property of wilderness supporters. As you can see, there is enough local support to make a wilderness endorsement justifiable.

5. Over 220,000 acres of de facto wilderness were identified in the upper Rio Grande basin as a result of RARE II (not including areas designated wilderness in 1980). Not one acre of this vast wild resource has since been protected. Much has since been lost to roading and timbering.

The 30,000 acres of our proposal is modest in view of these facts. It would also protect the last virgin parklands in the La Garita Mountains and add diversity to the La Garita wilderness which does not possess comparable features.

I hope this information and show of support will aide you in forming legislation. Some people acquainted with the "Wheeler problem" seek staus quo. The Rio Grande National Forest has sidestepped controversy and indications are that they will manage the area as they have in the past. The biggest problem with this situation is that there is no "real" protection. Management plans are subject to periodic change and susceptible to administrative policy. What if a'James Watt'were to be appointed as Supervisor of the Rio Grande National Forest. Wheeler deserves better than to be left in limbo again.

Sincerely

David B. Montgomery
240 Sunnyside Lane
Alamosa Co 81101

P.S. Please include this in the official hearing record for the Colo. Wilderness Bill of 84.

BEST COPY AVAILABLE

United States Department of the Interior
NATIONAL PARK SERVICE
ROCKY MOUNTAIN REGIONAL OFFICE
655 Parfet Street
P.O. Box 25287
Denver, Colorado 80225

IN REPLY REFER TO:
L58 (RMR)PP

CREEDE DISTRICT
RECEIVED
OCT 1 1981
District Clerk
District Ranger
Wl. Res. Staff
Eng Tech
For Staff - 11
For Staff - 9
For Staff - 7
SRC

SEP 2 9 1981

Mr. Buddy Whitlock
Forest Supervisor
Rio Grande National Forest
1803 West Highway 160
Monte Vista, Colorado 81144

Dear Buddy:

Enclosed is a copy of my draft trip report for your review and comment. This trip report will constitute documentation of National Park Service field reconnaissance and inter-agency participation in a study of the Wheeler Geologic Study Area as directed by Public Law 96-560.

I would appreciate receiving your comments along with comments from Pam Case and Larry Robinson by October 19, 1981, if at all possible.

I want to thank you for your hospitality and excellent arrangements for the trip into the area plus the spirit of inter-agency cooperation that you, Pam, Larry, and Ben displayed during our trip. Thank your staff especially Ben Trujillo for the outstanding job that he did with the livestock and in camp. Larry Robinson was a perfect host and a great resource in helping us see and understand the primary study area. Pam Case was most helpful for her interest in dealing with the dichotomy of preservation of the Wheeler Geologic Area complicated by the fact that she must also address resource development—a most difficult problem in this area. You are fortunate to have this type of team to work with.

Again, thank you and if you have any questions, please call me at 234-2786.

Sincerely yours,

(Sgd) James M. O'Shea, Jr.

James M. O'Shea, Jr.
Plan Coordinator, Wheeler
Geologic Study Area

Enclosure

cc:
Ms. Case, Rio Grande NF w/enc.
Mr. Robinson, Rio Grande NF w/enc.
Supt., Great Sand Dunes NM w/enc.
Supt., Rocky Mt. NP w/enc.
WASO (170), Jones w/enc.
WASO (130), Wright w/enc.

DRAFT JO'Shea:cao 9/23/81

TRIP REPORT

Subject: Wheeler Geologic Study Area

Date: September 8-11, 1981

Location: Rio Grande National Forest, near Creed, Colorado

Authority: Public Law 96-560 dated December 22, 1981 directed the Secretary of Agriculture and the Secretary of Interior to..."review jointly the Wheeler Geologic Study Area consisting of approximately 14,000 acres... and..report to the President and to Congress their recommendations for management of the lands..within three years following the date of enactment of this Act..."

Participants:

Rio Grande National Forest

Mr. Buddy Whitlock, Forest Supervisor

Ms. Pam Case, Forest Planner

Mr. Larry Robinson, District Ranger

Mr. Ben Trujillo, Trail Foreman

National Park Service

Mr. Bob Reynolds, Superintendent, Great Sand Dunes National Monument

Mr. Jay O'Shea, National Park Service Plan Coordinator, Wheeler Geologic Study Area

Trip Objective: Participate in an inter-agency field reconnaissance to review access to, setting for, and geologic features of the Wheeler Geologic Study Area and to consider strategies for future protection and public use of the area in accordance with Public Law 96-560.

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Primary Resources: The Wheeler Geologic Study Area consists of a multi-colored rock outcropping carved by the forces of nature resulting in a series of spires, post and lental formations, lumps, ravines, water pockets and other fascinating features. This light colored rock outcropping creates a high degree of contrast with the surrounding alpine setting. The setting consists of alpine forest, tundra, large parks and a HORIZONTAL backdrop formed by a narrow mesa along the Continental Divide. The best views of the sculptured geologic formations are obtained immediately adjacent to or from between the rock features.

Another beautiful and interesting geologic resource that contrasts this alpine setting, located approximately 1 to 1½ miles southwest from the Wheeler geologic formation, is found at the upper end of the West Bellows Creek gorge. The walls of the gorge are nearly verticle, rising from the narrow valley floor approximately 400' to 450'. Cliffs are serrated and appear to exhibit red and black colorations. This area deserves another look and should probably be interpreted along with the Wheeler geologic features, perhaps by an interconnecting trail.

Threats to the Area: The greatest threat to the Wheeler Geologic Study Area is potential defacement of the soft rock formations by visitors carving initials AND names or conducting other activities that will alter the natural erosional process that forms the interesting geologic features. Other threats to the area consist of potential destruction of the natural setting by insensitive timber harvest activities, possible mining activities, uncontrolled public use and recreational development such as access roads and camping at the base of the geologic feature.

The area needs interpretation of the geologic features and surrounding alpine setting and an explanatory message concerning the fragility of the area along with reasons why defacement of the rock will ruin these interesting features.

Existing Facilities: A tin roofed log shelter cabin with open air windows and door is located at the southeast corner of the geologic area and provides hikers some protection from the elements. A trail, approximately 1 to 1½ miles in length, loops the perimeter of the geologic feature. Directional signs are infrequent with interpretative and informational displays non-existent. A new post and rail fence is under construction to block four-wheel drive vehicles from ascending the fragile rock formations. New temporary plastic coated paper signs are displayed at trails entering the area to inform visitors that motorized vehicles are not permitted in the fragile geologic area. Several campsites have been developed through visitor use at the base of the geologic area. A fresh water spring provides the welcome water supply.

Public Use: The area receives little public use as evidenced by tread wear on the loop trail surrounding the primary geologic features. This low visitation is probably due to difficult access and a low local population. Access appears to be gained primarily by four-wheel drive vehicles and horseback. Some backpacking does occur in the area also. If local mining activity increases near Creed as projected, and more people reside in the Creed area, the geologic study area can be expected to receive increased visitation by local citizens on weekend outings.

Access - Existing and Potential: Vehicular access is currently via a 14 mile jeep trail from the nearest improved road. The jeep trail traverses native soils over predominately gentle grades and presents only a few side hill or steep grade sections. Some portions of the jeep road are rutted and braiding is occurring in the rutted sections. Several horse and hiking trails also enter the area.

A one lane, two-wheel drive vehicle road could be developed into the area by providing drainage ditches and a wearing surface on the existing jeep road. Minor alignment modifications would be required to avoid some steep drainage crossings. When or if a convenient access road is provided near the area, the problem of resource protection will be increased greatly. The road terminus and trailhead should be located approximately one mile from the geologic feature to reduce the visual effect of having vehicles in the vicinity of the geologic feature and also, reduce easy access to discourage vandalism to the geologic feature. All camping, including backpacking and horse camping, should also be held away from the geologic feature again to reduce resource impact in the immediately vicinity.

A one mile hike into the geologic area will create a problem for the elderly and handicapped. The loop trail up to and around the geologic feature presents some steep grades that will also present problems for those people that are not able to walk at least one mile.

Trip Accomplishments:

A. Traveled two access routes that lead to the study area on horseback. The trip in followed an existing four-wheel drive road from Hanson's Mill (approximately 14 miles). The trip out traversed a portion of Wason Park and down the Farmer's Creek trail (approximately 7 miles).

B. Viewed the Wheeler geologic features from several locations as follows:

1. The top of a 12,120' elevation butte, approximately ½ mile to the southeast of the feature.

2. Halfmoon Pass (approximately 1½ mile northwest of the feature) on the Continental Divide at an elevation of 12,725' above sea level.

3. The loop trail that surrounds and abutts the geologic feature.

4. Wason Park from approximately ½ mile to 3½ miles west and southwest of the formation.

C. Viewed a portion of the spectacular rock formations at the head of West Bellows Creek gorge. This area deserves a second look for future preservation.

D. Discussed future planning direction in accordance with Public Law 96-560.

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Discussions: Primary topic discussed dealt with preservation of the Wheeler geologic features. We all agreed that wilderness designation is the obvious sure method of preserving the area. However, wilderness designation of the area presents two problems for Forest Service forest management. First, road access into Wason Park for timber harvest and potential mineral development would be blocked. The only feasible road access route into Wason Park must circumvent the West Bellows Creek gorge thus bisecting the study area. Second, most Forest Service trail development and maintenance depends on mechanical equipment. Wilderness designation will nearly eliminate the use of mechanical equipment on the access and loop trail around the geologic feature. Without a good trail maintenance program the trail would greatly deteriorate if visitation were greatly increased.

Followup: The Forest Service will continue study of the area as part of their land and resource management plan. The Wheeler Geologic Study Area Report to the President and Congress will be drawn from the Forest Service land and resource management plan background data. The National Park Service will review and comment on management options for the area as presented by the Forest Service.

cc:
Forest Supervisor, Rio Grande National Forest, Whitlock
Planner, Rio Grande National Forest, Case
District Ranger, Creed District, Rio Grande National Forest, Robinson
Superintendent, Great Sand Dunes NM
Colorado State Coordinator, NPS, Brooks
WASO (170), Division of Legislation, Jones
WASO (130), Office of Park Planning & Environmental Quality

May 10, 1984
Box 1148
Crested Butte, CO 81224

Mr. Chairman and members of the Committee:

I have done extensive study and writing on the wilderness areas of Gunnison County. I hereby submit several of these to the official hearing record of the Colorado Wilderness Bill hearings of the House Subcommittee on Public Lands and National Parks. These are:

--Letter from Ramon Reed, Mayor of Pitkin

--Resolution of the Town of Crested Butte on supporting Fossil Ridge

--Resolution of the Town of Crested Butte supporting Oh-Be-Joyful and Fossil Ridge

--"Mineral Values of the Oh-Be-Joyful Wilderness Study Area," a research report by Gary Sprung for the High Country Citizens' Alliance

--"The Fossil Ridge Wilderness," a proposal by the Friends of Fossil Ridge, written by Gary Sprung

--"Wilderness and the Recreation Economy," by the High Country Citizens' Alliance and the Friends of Fossil Ridge.

--Two photographs of Fossil Ridge scenes

I hope the committee members will carefully consider these controversial areas.

Thank you for this opportunity to testify.

Gary Sprung

Chairman, Gunnison County Friends of the Earth,
Member of the Board, High Country Citizens' Alliance, and
Member, Friends of Fossil Ridge

RESOLUTION NO. 23
SERIES 1983

A RESOLUTION REAFFIRMING THE TOWN COUNCIL'S POSITION ON THE DESIGNATION OF WILDERNESS AREAS IN GUNNISON COUNTY, COLORADO.

WHEREAS, the Town Council has previously endorsed the proposals to designate Oh-Be-Joyful and Fossil Ridge areas as Wilderness; and

WHEREAS, the Town Council recognizes the key part that pristine mountain scenery plays in developing our tourist oriented economy; and

WHEREAS, the Town Council believes that the benefits to future generations in preserving these proposed wilderness areas far outweighs any other benefit that may be derived from a multiple use designation of these areas; and

WHEREAS, the Town Council has previously and consistently supported the designation of wilderness for Fossil Ridge and Oh-Be-Joyful areas, but has determined that this position must necessarily be memorized in the form of a Resolution.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CRESTED BUTTE, COLORADO:

Section 1. The Town Council hereby calls on those public officials having authority to/or over Oh-Be-Joyful and Fossil Ridge as proposed wilderness areas to finalize that designation and prevent attempts to redesignate said areas for multiple uses.

Section 2. The Town Council directs the Town staff personnel to actively inform and educate various public officials at all levels of government as to the Town's position in this matter.

ADOPTED by the Town Council for the Town of Crested Butte, Colorado this 5 day of December, 1983.

TOWN OF CRESTED BUTTE, COLORADO

(SEAL)

ATTEST:

By Thomas S. Cox
Thomas S. Cox, Mayor

H. Adele Bachman, Town Clerk

May 4, 1984.
To: House Subcommittee on Public Lands and National Parks
Room 812, House Annex #1
Washington, D.C. 20515
From: Mayor Ramon Reed
Town of Pitkin
Pitkin, Colorado 81241

Honorable Representatives,

The Town of Pitkin, Colorado is a small mountain community situated at 9200 feet elevation at the base of the proposed Fossil Ridge Wilderness Area. We have the distinction of being the oldest incorporated town on the western slope of Colorado, an indication of the tenacity and loyalty of the people who live here.

The original settlers of Pitkin and the surrounding area were the miners of the 1800's who came seeking their fortunes in gold and silver. While the mines flourished, the local economy flourished; when the ore and its markets played out, the miners, the investors and the entrepreneurs left. All they left behind them were the scars on the land that still exist and an economy that floundered with the few people who stayed behind.

In recent years a new type of prospector has come to Pitkin and these mountains. We are prospectors of the beauty and freshness that life in the Rockies has to offer. We have developed a new economy: one that is based on outdoor recreation, tourism and light industry compatible with the environment. Our economy is relatively stable and long-term, not the boom-bust cycle that is typical of the mining industry. But our economy is totally dependant on the natural beauty of the mountains around us which includes the entirety of Fossil Ridge; dependant on the pure water which comes down the slopes of Fossil Ridge; dependant on the clean breeze which blows over Fossil Ridge; dependant on the virgin forests and undeveloped meadows which provide an irreplaceable habitat for hundreds of elk and deer, as well as thousands of small game, fowl and native trout.

The U.S. Forrest Service, in its own environmental impact statement, has determined that Fossil Ridge is suitable for wilderness designation in every aspect, with the single exception that it would be unavailable for mining. This one aspect - the future "availability" of the land for mining exploitation - has somehow out-weighed every other consideration in the eyes of the Forrest Service.

The Board of Trustees of the Town of Pitkin, Colorado, in consideration of the best interests of the people that we represent, has unanimously passed a resolution in support of the Fossil Ridge Wilderness designation. We therefore urge our representatives in congress to overrule the singular biased opinion which ignores the needs of the people who live here in favor of a single outside interest. The minerals which may exist on Fossil Ridge are certainly not vital to the national economy, yet the extraction of those minerals would likely destroy the local economy and way of life that the residents and visitors of Pitkin depend on.

Respectfully submitted,

Mayor Ramon Reed
PO Box C
Pitkin, Co. 81241

TESTIMONY OF RUDY RUDIBAUGH BEFORE THE HOUSE PUBLIC LANDS AND NATIONAL PARKS SUBCOMMITTEE ON FOSSIL RIDGE

Mr. Chairman and members of the committee....

I am Rudy Rudibaugh from Gunnison Colorado. I own and operate a cattle ranch located at the base of the Fossil Ridge slope. I've been a Guide and Outfitter over twenty-five years and I've operated and know areas over a large part of the state. My operations were and are based in Fossil Ridge. I am President of the Friends of Fossil Ridge and a past President of the Colorado State Guide and Outfitters Association. I currently hold an appointment on the Colorado Outfitters' Licensing Board. I am a member of the Gunnison County Stockgrowers' Association and Colorado Cattlemens' Association, and some of then think as I do.

I'm a member of the Gunnison Watershed Guide and Outfitters' Association. They support support wilderness for Fossil Ridge, and so does the state outfitters' association. I would like to introduce this letter from John Nelson, Secretary/Treasurer of the Gunnison Guides and Outfitters expressing their support.

Fossil Ridge is a small area of about 50,000 acres, but it is the most important area I know. Fossil Ridge is very important as an educational classroom. Students can visualize so much more here in a short period of time. Rare specimens of vegetation such as the Tiger Lilly, which is declining because once it is picked it dies, can still be found in Fossil Ridge. The tiny, flourescent-colored alpine tundra flowers abound up to the 13,000-foot level as well as other exceptionally beautiful vegetation which are fast losing ground with survival in our world.

The terrain is exceptionally rough and rugged and is unique as habitat for many endangered and rare species of wildlife.

The timber wolf, thought to be extinct in Colorado, is occasionally sighted by many visitors that I know and hunters often hear it baying during the fall. The white mountain goats use this area for year-round habitat. The Rocky Mountain Bighorn Sheep ranges through this area for summer habitat. And this area is one of real important elk ranges of the Gunnison Country for three seasons of the year. Few places in our region are as important to calf-elk rearing as Fossil Ridge. Mule deer, bear, and mountain lion can also be found here. The wolf, bear, and lion are isolated here and rarely bother livestock.

Now I would like to read some parts of the letter from the Guides and Outfitter's Association:

"The Fossil Ridge area is extremely important to many of our members. Three outfitting businesses operate there permanently and several others use the area on numerous occasions. These businesses are directly dependant on the Fossil Ridge area's wilderness quality.

"Development of new roads, mining, and timber harvest in most instances would be in direct conflict with outfitting and would rendure much of htis area undesireable for outfitting purposes. This would force outfitting businesses in the area to drastically change their operations into other areas on the forest with wilderness quality.

"....At present, there are very few areas on the Gunnison National Forest where new outfitting permits can be obtained and most of these are incompatible with successful outfitting operations. The most desireable and compatible areas....are already receiving heavy use from other outfitters and the general public. Outfitters forced out of Fossil Ridge area would be either permitted into undesirable areas or denied permits, thereby jeopardizing their livelihood, or permitted into the heavy use areas where they would conflict with other outfitters...disrupting the whole local outfitting industry.

"....The Fossil Ridge area contains seven pristine alpine lakes and several streams that support good populations of trout and quality fishing. There is no wilderness area on the Gunnison National Forest that contains even half this number...

"....Members of out outfitters organizations have led church and scout groups as well as out-of-state college and university professors and students on educational outings into the area....Especially interesting are the numerous sea fossils found above 12,000 feet in elevation, from which the area gets its name.

"...Expensive 4-wheel-drive vehicles which many schools and members of the general public lack are not necessary for access as is the case in so many other wilderness areas.

"...Income from tourism including hunting and fishing has been the leading and most stable factor influencing out local economy."

Mr. Kogovsek, some of us made a trip to Pueblo a while ago to meet and plea with you to show the importance of this area to you. It seems we failed to get the point over successfully as it didn't come out on your bill as introduced. Now I have travelled over halfway across the United States in order to testify here and impress you members of this committee. If you do not support Fossil Ridge then I will feel I have wasted my time and the expectations of many Colorado residents as well as the dreams of many students from high schools and colleges from across the nation who desparately hope that my coming here will help save Fossil Ridge.

Thank you for this opportunity to testify.

THE COLORADO GUIDES & OUTFITTERS ASSOCIATION, INC.

"Ask the Outfitter Who Belongs"

TESTIMONY SUBMITTED BEFORE THE HOUSE SUB-COMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS FOR HEARINGS ON COLORADO WILDERNESS ON MAY 10, 1984

The Gunnison Watershed Guides and Outfitters Association hereby goes on record as supporting wilderness designation for the Fossil Ridge Wilderness Study Area near Gunnison, Colorado.

We thereby also support the Colorado Wilderness bills introduced by Representative Tim Wirth and Senator Gary Hart. The Colorado Guides and Outfitters Association, Inc. with which we are affiliated also supports our stand on Fossil Ridge.

The Fossil Ridge area is extremely important to many of our members. Three outfitting businesses operate there permanently and several others use the area on numerous occasions. These businesses are directly dependant on the Fossil Ridge Area's wilderness quality.

Development of new roads, mining, and timber harvest in most instances would be in direct conflict with outfitting and would render much of this area undesirable for outfitting purposes. This would force outfitting businesses in the area to drastically change their operations or move into other areas on the forest with wilderness quality.

The Gunnison National Forest, in compliance with national policy, issues permits and controls outfitting on forest lands. At present, there are very few areas on the Gunnison National Forest where new outfitting permits can be otained and most of these are incompatible with successful outfitting operations. The most desireable and compatible areas for outfitting include the other Wilderness Areas and roadless areas which are already receiving heavy use from other outfitters and the general public. Outfitters forced out of the Fossil Ridge area would be either permitted into undesirable areas or denied permits, thereby jeopardizing their livelihood, or permitted into the heavy use areas where they would conflict with other outfitters, thereby disrupting the whole local outfitting industry.

The Fossil Ridge Area is also very important to wildlife and especially big game. A large elk herd uses the area as a migration route to and from winter range. It is also an important calving area for them, and many elk spend the entire summer there. Many mule deer also use migration routes in the area. There is a growing herd of Mountain Goats that reside year round in the area. Black bear are also abundant in the Fossil Ridge country. These big game animals are extremely important to our local and Colorado State economy.

The Fossil Ridge Area contains seven pristine alpine lakes and several streams that support good populations of trout and quality fishing. There is no wilderness area on the Gunnison National Forest that contain even half this

THE COLORADO GUIDES &
OUTFITTERS ASSOCIATION, INC.

"Ask the Outfitter Who Belongs"

number of quality trout lakes. Fishing and Summer Recreation is another extremely important aspect of our local and State economy.

Fossil Ridge is important as an outdoor education area. The local high school and Jr. High have sponsored trips for some of their classes of students into the area. Western State College in Gunnison uses the area for their Geology, Biology, and P. E. and Recreation Departments' studies. Members of our outfitters organizations have led church and scout groups as well as out of state college and university professors and students on educational outings into the area. Fossil Ridge has many natural and recreational attributes that are of educational value all in close proximity to one another. Especially interesting are the numerous sea fossils found above 12,000 feet in elevation from which the area gets its name.

Another aspect that lends to its educational value is the fact that many of the trail heads are readily accessible by regular passenger vehicles. Expensive 4-wheel drive vehicles which many schools and members of the general public lack are not necessary for access as is the case in so many other wilderness areas.

The Fossil Ridge Area is also an important source of water to our local area as well as the States of the lower Colorado River Basin. Wilderness designation would help ensure that this water will stay pure and clean at its sources as well as preserving the snow pack to assure an annual water supply to users.

Recreation, wildlife and waters have traditionally been recognized as key values of the forests of the Rocky Mountains by the U. S. Forest Service. Income from tourism including hunting and fishing has been the leading and most stable factor influencing our local economy.

The Fossil Ridge Area is important to us and we believe that wilderness designation will result in the most proper and beneficial use of the area.

Respectfully Submitted By
John Nelson
Secretary/Treasurer
Gunnison Watershed Guides
and Outfitters Association
P. O. Box 352
Gunnison, Colorado 81230

The Colorado Mountain Club

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TESTIMONY OF THE COLORADO MOUNTAIN CLUB

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS

HOUSE INTERIOR AND INSULAR AFFAIRS COMMITTEE

The Colorado Mountain Club
GROUPS: ASPEN • BOULDER • DENVER • DENVER JUNIOR • DENVER WILDERNESS KIDS • EL PUEBLO
ENOS MILLS • FORT COLLINS • LONGS PEAK • PIKES PEAK • SAN JUAN • WESTERN SLOPE
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OFFICE HOURS MONDAY THRU FRIDAY 9 A.M. to 2 P.M. AND MONDAY, TUESDAY AND THURSDAY EVENINGS 7 TO 9 P.M.

May 4, 1984

Honorabl[illegible] John F. Seiberling
House o[illegible]epresentatives
Washingt[illegible], D.C. 20515

Dear Representative Seiberling:

We respectfully request that this letter be included in the official record for House Bill 5470, introduced by Representative Tim Wirth.

The Colorado Mountain Club is the State's oldest and largest non-motorized recreational organization. There are presently 7500 members in 13 groups throughout the state. Our organization is the foremost mountain organization in the region. We annually schedule over 3000 hikes, climbs, backpacking, skiing and snowshoe trips mainly in the back country of our beautiful state. No one knows the mountain areas of Colorado better than the Colorado Mountain Club and its members.

In the late 70's literally several hundred of our members participated in the RARE II process that led to the 1980 Colorado Wilderness Bill. Eighteen Wilderness Study and Further Planning Areas remained after the 1980 Bill. Since then our members have again been involved in the process of putting in thousands of hours of additional work on these areas. Thus, our members have spent tens of thousands of hours in the six full years that this phase of Wilderness bills have taken, involving study, field trips, trips to Washington, etc. In addition, there has been a great deal of time and energy by members of the Colorado Congressional Delegation and their staff. These areas have been studied and restudied. We feel it is now time for this RARE II process in Colorado to be concluded.

Therefore, the Colorado Mountain Club supports the Hart/Wirth Bills now before Congress with one important addition - that is Williams Fork. Williams Fork is a fine high altitude mountainous area of nearly 75,000 acres, 50 miles west of Denver. There are 31 peaks over 12,000 feet, an additional 10 peaks over 13,000 ft. and about 60% of the area is above timberline. It contains 22 lakes of at least one acre. The only opposition to its designation as Wilderness is from the Denver Water Board. According to studies of the various potential alternative water projects, the one which is most cost effective per acre foot and which produces the most water infringes upon only a small part of Williams Fork. Besides its excellent wilderness character and its pristine beauty, Williams Fork is important because of its close proximity to Denver's population center. Our members make frequent trips into Williams Fork. We urge that those portions of Williams Fork which would not be affected by the Denver Water Board's project be protected as Wilderness now. The remaining portion should be left as a Further Planning Area.

Close lying areas such as Williams Fork are important to the Club and to Denver's future. Even using the Forest Service figures, which we feel are conservative, Wilderness use is growing at the rate of 6-7% per year. Most of this use occurs along the Front Range. Very crowded parking lots are becoming common in close lying areas. Use is so heavy that some areas like Indian Peaks may this year only be used with a permit. Permits will soon be required for use of the Rawah, Eagles Nest, Maroon Bells and Weminuche areas. Having Williams Fork as a nearby Wilderness will relieve some of this pressure.

Vasquez Peak and St. Louis Peak are two other areas near Denver in the Hart/Wirth Bills. They have some of the fastest access from Denver, particularly in the winter when our members take many organized cross-country ski and snowshoe trips there. Winter sports in general, are the fastest growing activity within the Club over the last ten years. We take about fifty Club trips per year in the Vasquez Peak and St. Louis Peak areas.

The rest of the areas in the Hart/Wirth Bills are also each unique and worthy of preservation as Wilderness. A study by our members has shown that, as an entirety, the Bills' areas, including Williams Fork, have the following attributes:

1. There are at least 257 peaks over 12,000 ft. high.
2. There are an additional 140 mountains over 13,000 ft. high.
3. Eight peaks loom above the magical 14,000 ft. level.
4. At least 339 lakes (mainly near the timberline regions) are to be found.

5. Dozens of waterfalls over 100 ft. high exist - some only known by a few.

6. In all, just about 40% of all the terrain is above timberline and if one studies this fact leaving out Service Creek, Spruce Creek, and Piedra, which are exclusively forested areas - 50% of these lands are above timberline.

7. This results in about 20% of all the 800,000 acres near the timberline region - the most delicate and fragile of all mountain areas.

8. In fact, approximately 20% of all the areas are in some form of wetlands, made up of marshes, meadows, and vast valley bottomland areas. Wetlands are vital to the ecology of any area and the home and life-blood for all wildlife and fish.

We emphasize that these 18 areas are those remaining from the original 234 RARE II areas. Thirty-four were placed into the 1980 Bill and over 180 have been excluded from Wilderness consideration. From the original 6.4 million acres of RARE II lands in Colorado only 2.2 million acres will become preserved if all 18 areas, including Williams Fork, are designated as Wilderness. That means only about one-third of the lands eligible for Wilderness will have been protected. There is no need for further compromise.

Wilderness is not only vital to the Colorado Mountain Club, but is essential if Colorado is to preserve a stable, self-perpetrating economy - an economy based on scenic, recreational and tourist activities and not on the boom and bust, up and down activities of the past. Addition of new Wilderness areas would benefit the local economies of nearby areas. In fact, a recent report by the Colorado Mountain Club entitled "Colorado's Natural Recreational Resources - An Unrecognized Economic Asset" points out the importance of Wilderness recreation to the State. For instance, in one 12 month period a study of the register of a remote 14,309 foot summit in southern Colorado, that of Uncompahgre Park, showed it was climbed by 744 people from 43 states and 7 foreign countries. These figures are typical of remote climbing use in the State.

In another report entitled "Wilderness - Preserves a Stable, Long-Life Economy" done as an independent report by one of our members comparing Colorado's and Switzerland's economy, it indicated 22,000 man-day visits were made in one 4-day July 4th weekend in 1982 in the Holy Cross Wilderness, bringing in to the local economy over 1/2 million dollars. Wilderness use has grown manyfold in the 70's and has continued to boom in the 80's. Both these reports have been previously sent to the Colorado Delegation.

The point is clear - preserving Wilderness makes sense. It is good for man, his spiritual, recreational, and economic well-being. Wilderness is also the source of fresh air and water and the home of fish, wildlife and wild fowl.

In conclusion, we support the completion of the Colorado RARE II process now and ask that the Hart/Wirth Bill be approved by the Committee and by the full House and Senate.

Yours truly,

Glenn Porzak

Glenn E. Porzak
Past President and
Chairman of Wilderness
Legislation Committee

BEST COPY AVAILABLE

Audubon Society of

Western Colorado, Inc.

P.O. Box 1211
Grand Junction, Colorado 81501

STATEMENT OF THE AUDUBON SOCIETY OF WESTERN COLORADO
ON HR 5470 AND HR 5426
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS
AND THE HOUSE INTERIOR AND INSULAR COMMITTEE
MAY 10, 1984

Mr Chairman and distinguished members of the subcommittee,

The Audubon Society of Western Colorado wishes to have its comments included in the official hearing record.

We endorse HR 5470 for a variety of reasons. We feel that HR 5426 is not adequate in its protection of many of our fine wildland areas. We feel the areas in HR 5470 will protect important wildlife habitat. We are most concerned about those areas within a 1 day driving distance of Grand Junction, namely, Cannibal Plateau/Powderhorn, Piedra, Big Blue Additions, Fossil Ridge, Oh-Be-Joyful, and West Needles/Weminuche Wilderness Area Additions areas.

Wilderness designation is the best way to protect the water quality of the watersheds contained in several of the areas in HR 5470. Also, wilderness designation provides areas which offer high quality recreation. Wilderness designation also provides excellent areas for scientific research,i.e. archeology, geology, botany, biology, ecology, etc. Wilderness designation also helps to maintain and protect our precious air quality.

Thank you for accepting our comments endorsing HR 5470.

Sincerely,

Jeanne T Hemphill
Jeanne Hemphill, Chair
Conservation Committee

JH/sk

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S. 2032
H.R. 5470
H.R. 5426

May 10, 1984

COLORADO WOOL GROWERS ASSOCIATION TESTIMONY

The Colorado Wool Growers Association wishes to say "Thank You" for the opportunity to present testimony about S. 2032, H.R. 5470 and H.R. 5426. We are indeed appreciative to be able to state that the overwhelming majority of the 500 members of our organization who represent the 2000 plus sheep producers in the State of Colorado are totally opposed to both bills.

At the present time, May 9, 1984 there are 2,582,895 acres of Forest Service Wilderness Area, 55,000 acres of National Park Wilderness Area, and 810,405 Acres of B. L. M. Wilderness Study Area in our State of Colorado. Two of these proposed bills would increase the acreage by another 734,000 acres. This would make 6.2% of all of Colorado's land in Wilderness Area. Should any of these three bills be passed, Wilderness Area Acreage in Colorado would be increased by a minimum of 11% to a maximum of 21%, either amount being unfair and unacceptable for our State to bear.

It seems.every two to four years, legislation appears to provide for more Wilderness Areas in Colorado. One of the reasons used for this is to provide a "preservation of the American Heritage and the American Land". This is important and neeessary, but Colorado has already provided 3,448,300 acres for this program.

Let us now examine some specifics about the proposed legislation.
S. 2032 and H.R. 5470 are basically identical. These would add another 18 areas to the existing 24 Wilderness Areas currently in Colorado. Further, an additional area known as Williams Fork is proposed to be "managed to maintain it's presently existing wilderness character and potential" . The Williams Fork Area includes up to 60,000 Acres. H.R. 5426 contains 8 areas and 372,000 acres, which generally coincide with 8 areas in S. 2032 and H.R. 5470. Any differences in the boundaries as drawn are of little consequence to the grazing situation within them. One exception could be the Greenhorn Mountains where there is added acreage. H.R. 5426 excludes nearly all B.L.M. acreage in the 8 areas, while S. 2032 and H.R. 5470 includes B.L.M, particularly in the Sangre de Cristo area.

The three bills affect from 11 to 25 sheep allotments and from 4 to 15 permittees. From 2660 to 15,335 sheep are included. The three proposals affect 26% or more of the acreage in 82 to 92% of the allotments, 50 to 92% of the permittees, and 41 to 83% of the numbers of sheep.

At the present time, there are from 30 to 78% Vacant Allotments for sheep within the areas under the three bills. The Forest Service Manual on Wilderness Grazing contains a policy for determining when grazing may be continued in Wilderness Areas and also when grazing can be reinstated on a vacant allotment in Wilderness. This policy was established in 1982 after 20 years of no policy. The issue lies around the statement in the Wilderness Act which allows grazing "where established". Item (1) (b) in the Manual is quite clear that most vacant allotments will not qualify for reinstatement of grazing. Therefore, if any of these three proposals are passed, there would be a total loss forever of 30 to 78% of the grazing allotments within the 18 proposed areas.

The designation of "Wilderness Area" within any of the proposed areas would adversely affect the allotments and permittees directly involved. Dale Weldon of Vernal, Utah and Jim Holman of Montrose, Colorado will not be able to maintain their allotments with any motorised nor mechanical vehicles. This eliminates the use of the sheep wagon from the range - a familar American scene - and causes the sheepherder to return to living in a tent - a step backward in progress. In the case of Facundo Montoya on the Wasson Allotment, Alamosa, Colorado, the restriction of the use of motorized vehicles produces extra burden of hauling salt, supplies, and food on foot or horseback, an extra 16 miles round trip. This problem may prohibit him from the use of this allotment because of the increased time and expense incurred.

Summarily, the allotments and permittees who find themselves and their ranges within the Wilderness Area designation are forced out of the use of this range by restrictions, increased time and increased production costs.

The livestock industry has been suffering from a number of adversities for the past several years. These include everything from Acts of Nature to Government regulations to resultant financial stress. The sheep industry is no exception. As a matter of fact, the sheep producers have suffered more than their fair share as indicated by decreases in the numbers of sheep and sheepmen nationwide. This trend must be reversed.

Within the livestock production industry, the sheep is the one major animal that can provide food and fiber - the most consistent and highest quality of each - the world has ever known. And the sheep is the one animal that can produce this food and fiber that can go directly to the consumer from the forage found in abundance on the ranges within the new proposed Wilderness Areas. The American consumer cannot afford to lose any more sources of food and fiber production. Furthermore, it has been proven scientifically that natural range forage thrives better and produces more when used and harvested under a livestock management system.

It is time for the people charged with governing the United States of America to return priorities where the most citizens will receive benefit now and in the future. Retaining more and more land for Wilderness Preservation will be useful and beneficial to only a continually decreasing number of our U.S. population, whereas more and more people are becoming aware of the need and obligation to properly feed our growing America. We therefore urge that these bills be defeated.

Respectfully Submitted,

Jim Papoulas

Jim Papoulas
President

The Colorado
MINING ASSOCIATION

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May 16, 1984

The Honorable John Seiberling, Chairman
Public Lands and National Parks Subcommittee
House Interior and Insular Affairs Committee
U.S. House of Representatives
Washington, DC 20515

Re: Colorado Wilderness Legislation-1984

Dear Mr. Chairman:

On behalf of the Colorado Mining Association, I am pleased to submit comments on bills introduced into the House of Representatives by Representatives Timothy Wirth and Raymond Kogovsek. These bills relate to the designation of up to 19 new proposed wilderness areas in the state of Colorado.

The Colorado Mining Association speaks not only with the voice of its members, but with the voice of hundreds of individuals and small companies who are unable to stand the time and the expense of coming directly to Washington to testify on this proposed legislation. It is my hope that the comments of the Association will add some balance to those strident voices calling for massive new wilderness designations without close and careful consideration of the economic impact of those designations on the State of Colorado, the local communities, and the nation.

The Colorado Mining Association is a trade association, founded in 1876 and incorporated in 1897. Its membership is composed of: a) Companies that explore for, produce, and refine metals, coal, oil shale, and industrial minerals; b) Companies that manufacture and distribute mining and mineral processing equipment and supplies; c) Commercial banks and other institutions serving in the mineral industry; d) Individuals engaged in these various phases of the mineral industry. We appreciate this opportunity to submit comments on the various wilderness proposals. Our comments will reflect the declared policy of the Colorado Mining Association that it is imperative for the survival of our domestic minerals industry and our nation that those exploring for minerals be allowed the

410 Denver Hilton Office Building
1515 CLEVELAND PLACE

Build Colorado Mining

DENVER, COLORADO 80202-5192
TELEPHONE (303) 534-1181

right to access to the public lands. This is particularly important in this case, since many of the areas proposed for wilderness designation appear to have a high to moderate potential for future discoveries of economic quantities of minerals. Many of these areas are already the focus of significant mining activity including exploration, and past discoveries of minerals in areas with high mineral potential.

Preliminary Comments

The National Materials and Minerals Policy Research and Development Act of 1980, 30 U.S. Code 1601, states that the availability of materials is essential for national security, economic well-being, and industrial production. In line with this, it has been the policy of the Colorado Mining Association to encourage government agencies to assure maximum accessibility of the public lands to mineral exploration and development.

The stark reality of the situation is that few areas of the public lands have been thoroughly investigated. The United States Geological Survey has prepared extensive reports on a number of the areas indicating their high to moderate mineral potential. Still, this is no substitute for actual exploration of these areas. We have reached a grim state of affairs indeed if potential wilderness areas are to be designated for the mere fact that they have high to moderate mineral potential. It is an unfortunate fact that a number of the areas proposed for wilderness designation have been so proposed for primarily political purposes; the areas are named because of their proximity to active producing mines or areas actively being explored or currently the subject of mineral claims.

The Colorado Mining Association challenges the implicit assumption that wilderness designation is the only way to "protect" various areas of the state of Colorado from "development". Many of these lands have been subject to multiple use for many years, without any of the catastrophic adverse affects which are predicted unless wilderness designation is completed. The Colorado Mining Association also challenges the assumption that any form of economic activity on the public lands is some form of nameless evil. The systematic exploration of the public lands for valuable minerals is an economic necessity for this nation; it is further an economic necessity for those communities whose well-being is dependent upon a thriving and active natural resources industry including mining,

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timber harvest, ranching and recreation. Each area needs to be examined carefully based on its own merits, not in a climate of strong emotional bias. It is our hope that the Association and its members will be consulted with regard to their knowledge concerning the mineral environment of all proposed wilderness areas.

The Association would now like to take the chance to comment on each of these areas individually;

Buffalo Peaks

The Buffalo Peaks Wilderness Study Area appears to have significant mineral potential in a number of areas. There are a number of historic mining districts in the area, and drilling and exploration have recently been carried out by Noranda, Exxon, and a number of other operators. Drilling and exploration was primarily for uranium, base metals and precious metals.

This area has been recommended as unsuitable for inclusion in the National Wilderness Preservation System by the Forest Service. The Colorado Mining Association supports the recommendation of the Forest Service that Buffalo Peaks not be designated as a wilderness at this time.

Fossil Ridge

All indications are that the Fossil Ridge area has extremely high mineral potential; this area is very favorable for several types of mineral deposits. Widespread uranium anomalies exist in the area; large substantiated gold and silver potential exists throughout the Fossil Ridge Wilderness Study Area and the southeastern portion along Gold Creek and the northeastern section near Cross Mountain to Cameron Mountain. Gold, silver, lead, zinc and copper production has come from five major and many smaller mines in those areas.

The Forest Service has recommended that the Fossil Ridge Wilderness Study Area is unsuitable for inclusion in the National Wilderness Preservation System. The fact that 555,000 acres of wilderness in the Gunnison River Valley exists in the immediate vicinity makes it clear that no additional wilderness is needed in this area. There appear to be no biotic species needing the wilderness environment for survival, and no unique land forms or ecosystems. The Colorado Mining Association echoes the Forest Service recommendation that this area not be designated as wilderness.

Greenhorn Mountain

Tungsten mineralization is likely to be present in the Wilderness Study Area due to evidence of tungsten, plus barium and rare earth minerals in the area draining into South Apache Creek. Uranium and thorium occurences to the south indicate that such occurrences are likely to extend northward into the wilderness study area.

The Forest Service has recommended this area as suitable for wilderness designation. The Colorado Mining Association believes that 7,000 acres in the northeastern area of the proposed Wilderness Study Area should be omitted for consideration because of the high potential for minerals in the area.

South San Juan Wilderness Study Area

The Colorado Mining Association is particularly concerned with active exploration in the northern portion of the wilderness study area, particularly surrounding Montezuma Peak. Mineralization in districts surrounding the Wilderness Study Area is similar to that in the Wilderness Study Area, which has a great potential for further gold, lead, zinc and silver discoveries. There appears to be a significant potential for large discoveries of buried porphry deposits of copper and/or molybdenum. There further appears to be a geologic implication that oil and gas reserves may extend into the southern portion of the wilderness study area.

The Forest Service has recommended that this area is unsuitable for inclusion in the National Wilderness preservation system. The Colorado Mining Association is in agreement with the Forest Service that this entire area is unsuitable to be designated as wilderness.

Piedra Wilderness Study Area

The Colorado Mining Association would like to express great concern that the Piedra Wilderness Study Area contains vein deposits favorable to uranium, silver, zinc and lead. The potential for uranium mineralization in economic quantities, particularly, appears to be high.

The Forest Service has recommended that this area is suitable for wilderness designation. The Colorado Mining Association would recommend the consideration of exclusion of those areas indicating the highest potential for vein deposits of uranium and other minerals.

Sangre de Cristo Wilderness Study Area

The Sangre de Cristo Wilderness Study Area is comprised of 217,832 acres. This 70-mile long area encompasses an entire mountain range which holds identified mineral resources of gold, silver, tungsten and copper. There appears to be high potential for these commodities, along with strong mineralization indicating the presence of molybdenum, lead and iron. Anomalies are also evident in the area indicating the possible presence of cobalt, barium, zinc, uranium and rare earths. All or part of 22 mining districts are in the Wilderness Study Areas. Many inactive mines and prospects exist. Approximately 294 patented mining claims are in the Wilderness Study Area, according to 1983 records. The inclusion of these highly mineralized areas in a potential wilderness is unacceptable to the Colorado Mining Association. The Forest Service has designated 191,700 acres as suitable for inclusion in the National Wilderness preservation system. The Colorado Mining Association is philosophically opposed to designating an entire mountain range with a past history of mineral activity as wilderness. In the alternative, the Associaton supports the Minerals Exploration Coalition's recommendations for the exclusion of approximately 87,000 acres from the Wilderness Study Area.

Spanish Peaks Wilderness Study Area

By all indications, there is a high possibility for economic mineralization in the very center of the Wilderness Study Area. The Bulls-Eye mine sits on the north side of west Spanish Peak in the heart of the Wilderness Study Area. Gold, silver, lead, zinc and copper, once produced in the mine, still occur around the peak and in the streams draining from it. The area is covered with oil and gas lease applications.

This total area has been recommended as unsuitable by the United States Forest Service for inclusion in the National Wilderness Preservation System. The Colorado Mining Association is in accord with the

Forest Service that this area is absolutely unsuitable for wilderness designation because of its high demonstrated mineral potential.

West Needle Wilderness Study Area

Numerous small mines in workings border, or are within the eastern boundary of the West Needle Wilderness Study Area. Information from these workings indicates minor lead, zinc and gold values in the area, with moderate to high values of silver occurring in adjacent faults which may extend into the study area. The Elk Park Mine on the eastern edge of the boundary has a potentially large uranium deposit which projects laterally into the study area. Other companies, including Exxon Minerals have drilled extensively at the mine in the near past.

Though the Forest Service has recommended 20,340 acres as being suitable for inclusion in the National Wilderness Preservation System, the Colorado Mining Association takes the position that this area is absolutely unsuitable for wilderness designation because of its high potential for economic mineral deposits.

Wheeler Geologic Wilderness Study Area

The Wheeler Geologic area, one mile square, was withdrawn from mineral activity and set aside more than two decades ago. This has served as sort of a "geologic monument", because of unique volcanic formations in the area. The wilderness study area, however, encompasses about 21 square miles around the monument, an amount of ground which is absolutely unnecessary to achieve any degree of protection. The Colorado Mining Association is particularly concerned with the vast amount of acreage which is very near to the active producing properties near Creede.

The Forest Service has recommended this area as unsuitable for inclusion in the National Wilderness Preservation System. Existing management of the geologic area appears to be sufficient to protect these unique geologic formations. The designation of an additional 21 square miles of wilderness surrounding this area is unnecessary. The Colorado Mining Association proposes that the Wheeler Geologic Formation continue to be managed as it has in the past, with no additional wilderness designations around the periphery.

Oh-Be-Joyful Wilderness Study Area

The Oh-Be-Joyful Wilderness Study Area is particularly objectionable to the Colorado Mining Association as a potential wilderness area. The area has a high potential for deposits of molybdenum, silver, lead and zinc, and is directly adjacent to historic mining areas. This potential is particularly evident in the eastern and southern portions of the Wilderness Study Area. The Mount Emmons molybdenum deposit and the Red Well Basin deposit are adjacent to the southwestern corner, and another area of potential molybdenum mineralization is in the northwestern part of the study area.

The Colorado Mining Association regards the potential designation of the Oh-Be-Joyful area as wilderness as part of a campaign of political warfare against mining interests in the area. The National Wilderness Preservation System should not be utilized as a tool by small interest groups to force their views upon the nation at large. The Forest Service has recommended this entire area as unsuitable for inclusion in the National Wilderness Preservation System; the Colorado Mining Association concurrs fully.

Spruce Creek Wilderness Study Area

This area appears to have a low potential for mineral deposits. Rocks favorable for silver mineralization in the nearby Aspen mining district do not occur in this area. No anomalies appear to exist in stream sediments.

The Forest Service has recommended that 8,000 acres be included in the National Wilderness Preservation System. The Colorado Mining Association has no objection to inclusion of the Spruce Creek Wilderness Study Area in the National Wilderness Preservation System.

Big Blue Wilderness Additions - American Flats BLM Wilderness Study Area

The American Flats Wilderness Study Area is directly adjacent to areas of historic exploration and production activities. The entire area has at least moderate potential, and perhaps high potential for mineral discoveries. Homestake Mining Company is drilling within one mile of this area.

The Colorado Mining Association opposes the designation of the American Flats area as a part of the National Wilderness Preservation System. The Association further objects to the potential designation of this area by Congress prior to the time in which all necessary studies have been completed. Special care should be taken in designating any new wilderness areas in regions with such high indicated mineral potential.

Service Creek Further Planning Area

Government studies appear to show no favorable conditions for the occurrence of economic mineral resources in this area. Although considerable mining activity has occurred north and south of the study area, the geology is different within the area.

The Forest Service has recommended 39,860 acres as suitable for inclusion in the National Wilderness Preservation System. The Colorado Mining Association does not have any objection to the inclusion of this area in wilderness.

Cannibal Plateau Further Planning Area & BLM Study Area

Many small mines and prospects north of the Powderhorn area were established to explore for base and precious metals. The area also contains the largest titanium and columbium proven reserves the United States. Deposits of rare earths also appear to exist in this area. While the mineral potential of the area itself appears to be low in areas other than the southwest part of the area, the Colorado Mining Association is extremely concerned about the proximity of the highly productive Lake City Mining District.

The Forest Service has recommended 13,599 acres as suitable for wilderness. The Colorado Mining Association recommends the exclusion of approximately 7 square miles of territory in the southwest corner of the Further Planning and Study areas. The Colorado Mining Association is further concerned with any limitations on uses of public lands surrounding the designated area, particularly future and ongoing mining activities. As to the Powderhorn Primitive Area (existing), the Association recommends awaiting the outcome of BLM recommendations on this area.

Davis Peak Further Planning Area

The rocks that underlay the Davis Peak Study Area have a very high potential to host economic deposits of gold, silver, lead, zinc and copper. Geologically, this area appears to be quite similar to other areas in the world which contain significant mineral resources, particularly Canada and Australia. The mineral potential for the Davis Peak area is rated as being moderate to high for locatable minerals over 62% of the area. Because the remainder of the area is overlain by stream sediments, underlain by similar rocks, it would appear that the entire area must be considered to have high potential for locatable minerals.

The Forest Service has recommended 8,100 acres as suitable for inclusion in the National Wilderness Preservation System. The Colorado Mining Association disagrees, and recommends that the Davis Peak Further Planning Area be omitted from wilderness consideration because of its high potential for future mineral discoveries.

Lost Creek Further Planning Area

The mineral potential for this area appears to be low. Uranium appears to be the most prominent mineral noted in the area and has been mined in similar deposits west of the Further Planning Area. The Forest Service has recommended the entire area as being unsuitable for inclusion in the National Wilderness Preservation System. Wilderness characteristics in the area have been lowered by the fact that 19 miles of road exists, 600 acres of timber have been harvested, and by an electronic site in the area. The Colorado Mining Association agrees with the Forest Service that this area is unsuitable for wilderness designation.

St. Louis Peaks Further Planning Area

Amax's Henderson Mine exists just southeast of the St. Louis Peaks area. A probable resource potential exists in this area for mineralization of a similar type and nature to the Henderson deposit. Moderate potential for silver, copper, lead and zinc exist in the study area. Past mineral activities occur in the southeastern and norther portions of the area, and the numerous mines on the eastern side of the area appear to be where silver-lead-zinc occurrences had surface manifestations.

This area appears to be surrounded by non-conforming uses which are incompatible with wilderness designation. There appear to be developments in the area for skiing, mining, and recreation, which are incompatible as well.

The Forest Service has recommended this area as unsuitable for inclusion in the National Wilderness Preservation System. The Colorado Mining Association regards this as a further attempt to create wilderness in the vicinity of historic mining activity as a means of seeking political control over that activity by small interest groups. The Colorado Mining Association is in full concurrence with the Forest Service that this area is unsuitable for inclusion in the National Wilderness Preservation System.

The Williams Fork Further Planning Area

Known mineral occurrences exist in the northeastern portions of the Further Planning Area near Jones Pass where silver, lead and zinc have been mined and uranium has been prospected. Workings are scattered throughout this section of the Further Planning Area. In addition, the Henderson Molybdenum Mine is located within the northeast section of the Further Planning Area. Substantiated and probable mineral resource potential is described for the southeastern part of the area in the United States Geological Survey Professional Paper 1300.

The Forest Service has recommended this area as unsuitable for inclusion in the National Wilderness Preservation System. The Colorado Mining Association regards this as another attempt to designate wilderness in the area of important historical mining activity which is essential to national defense and industrial needs. The Colorado Mining Association is in full concurrence that this area is unsuitable for wilderness designation.

Vasquez Peak Wilderness Study Area

The Vasquez Peak Wilderness Study Area is within the Colorado Mineral Belt and part of the Daily Mining District and has numerous evidences of mineralization, especially along the eastern boundary. This area appears to be very favorable for mineral deposits, including high grade lead-zinc-silver, and possibly uranium.

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The Silver Plume Granite Trend, which holds the important molybdenum ore body for the Henderson Mine and the Urad Mine, extends into the southern portion of the Wilderness Study Area. These major mines plus numerous smaller mines are located within a mile south of the Wilderness Study Area. Amax continues to conduct exploration in this area as do other companies. The probable mineral potential is described by the U.S. Geologic Survey Professional Paper 1300.

Though the Forest Service has recommended this area as suitable for inclusion in the National Wilderness Preservation System, the Colorado Mining Association is absolutely opposed to the designation of the Vasquez Peak Wilderness Study Area as a wilderness.

Closing Comments

In several instances, wilderness areas have been proposed based on motivations relating to the control of mining activity; this is unacceptable to the Colorado Mining Association. The Colorado Mining Association is of the hope that these motivations will be examined in earnest prior to the consideration of any of these areas for wilderness status.

The Colorado Mining Association appreciates the opportunity to comment on these proposed wilderness designations. The majority of these areas include regions with moderate to high potential for mineral discoveries, including some with substantiated reserves and a past history of production. In the overall balance which is necessary in the uses to be made of the public lands, a non-use, such as wilderness, should not be given precedence over important, demonstrated resource values. A close analysis needs to be made of mineral activity in each of these areas, including the presence of patented and unpatented mining claims, exploration activity, past production, and the potential for the same.

Now that Colorado has millions of acres of wilderness already in place, it is the position of the Colorado Mining Association that the pendulum must swing; we can no longer afford to designate huge areas for additional wilderness when no analysis has been made of the potential economic impact on the communities affected, the state, individual companies and the nation as a whole. Basic rationality must find a place in the wilderness decision-making process. We at the Colorado Mining Association are of the hope, perhaps unfounded, that our comments will be taken seriously and that the necessary analyses will be performed prior to rushing into further wilderness designations.

It cannot be overemphasized that economic activity, in and of itself, is not evil. Without economic activity, civilization as we know it would cease; we may be a high technology society, but are still completely dependent upon three basic activities, mining, timbering, and farming, for our well-being and continued existence. These are not values which are to be lightly disregarded in designating areas for absolute and unrelenting non-usage for the centuries.

The Colorado Mining Association requests that our comments be looked at closely in conjunction with those submitted by affected communities, the lumbermen of the state of Colorado, ranchers, individuals and those who are dependent for their livelihood upon the accessibility of public lands of the United States, and specifically those of the state of Colorado.

Very truly yours,

Colorado Mining
Association

By John R. Henderson
John R. Henderson
Chairman, Wilderness Subcommittee

JRH/car-2

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COALITION

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MEC RECOMMENDATIONS
on
COLORADO WILDERNESS LEGISLATION - 1984

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*Executive Committee member

Area Name	MEC Recommendation
Buffalo Peaks	Proposed boundary change
Fossil Ridge	Opposes Wilderness designation
Greenhorn Mountain	Proposed boundary change
South San Juan	Opposes Wilderness designation
Piedra	Insufficient data
Sangre de Cristo	Proposed boundary change
Spanish Peaks	Opposes Wilderness designation
Vasquez Peak 1/	Opposes Wilderness designation
West Neddles 2/	Opposes Wilderness designation
Wheeler Geologic 1/	Opposes Wilderness designation
Oh-Be-Joyful	Opposes Wilderness designation
Spruce Creek	Unopposed
Big Blue Wilderness Additions 2/ American Flats (BLM)	Opposes Wilderness designation
Service Creek	Insufficient data
Cannibal Plateau (Powderhorn) 2/	Proposed boundary change
Davis Peak	Opposes Wilderness designation
Lost Creek	Insufficient data
St. Louis Peaks 1/	Opposes Wilderness designation
Williams Fork 1/	Opposes Wilderness designation

1/ Major concern is proximity to operating mines.

2/ Objection to having BLM wilderness study areas included in Forest Service wilderness bill.

Approved at March 30, 1984 Executive Committee Meeting.

1. BUFFALO PEAKS - WSA

Size: 56,950 acres

Pike and San Isabel National Forests, (RARE II, A2-250 wilderness recommendation)

Lake, Chaffee and Park Counties, Colorado; Fifth Congressional District

Location: About 5 miles north of Buena Vista

Recommendations

A.) Forest Service -

Forest Service (R-2), Wilderness Study Report, August, 1982.

Capable: Yes. (WARS, 18). Area manageable.

Available: No. Needed for management of wildlife habitat, minerals, suitable forest land for local fuelwood production.

Need: No. Because of proximity to existing wilderness.

Total area is recommended as unsuitable for inclusion in the National Wilderness Preservation System.

B.) MEC - 50,390 acres (Est.); proposes boundary change.

Mineral Potential

Mineral potential is high in the general areas in and around the inactive mining districts. The Weston Pass District near the northern end of the WSA is strong in silver-lead-zinc mineralization which extends southeast into the WSA.

The western edge is rich in uranium anomalies including tungsten, thorium and other rare-earth elements. In addition, part of this Low Pass Gulch area is within the Granite silver-lead-zinc mining district which has potential for base metals and gold.

East and southeast of Buffalo Peaks, strong anomalies of uranium, vanadium, copper, lithium, manganese and zinc are common.

Probable potential exists for barite in Rough and Tumbling Creek and along Spring Creek on the eastern edge. Barium is also evident in the general vicinity along the Buffalo Creek fault.

The Parkdale iron pit in the Salt creek district at the southern end of the WSA indicates occurrences of uranium and rare-earth elements.

The USGS (Professional Paper 1300) suggests further study in all the areas offering some promise for identification of concealed minerals.

1. BUFFALO PEAKS - Page 2

Recorded Production

Granite District:

Produced approximately $3 million through 1918 from placer deposits. Active placer mining in Lost Canyon produced $3800 in 1980. Development work at the Bemmo Mine was undertaken in 1980.

Four Mile District:

Was active 1935-1940 (shut down by WWII). Produced at least 92.5 oz. Au, 336 oz. Ag, 1000 lbs. Cu, and 30,000 lbs. Zn.

Weston Pass District:

Mines: Ruby, Cincinnati, Colin Cambell. Produced approximately $125,000.

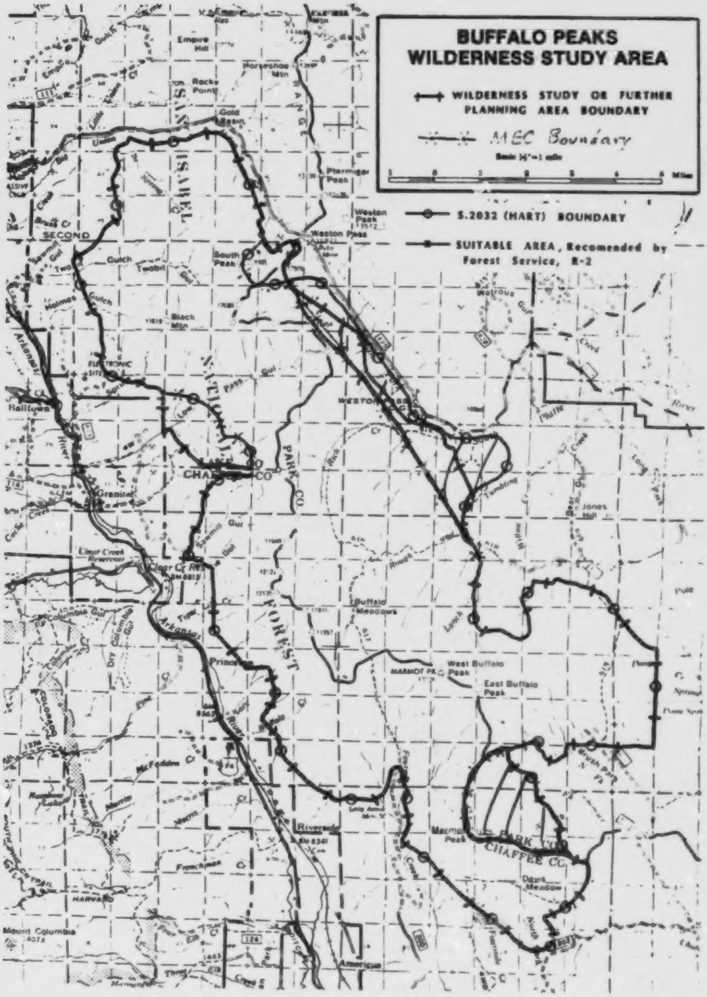
65,000 - 97,000 ounces of gold in early 1900's within two miles of WSA.

Mining Districts, Mines, and Claims Inside WSA

Weston Pass - numerous claims.
Buffalo Peaks - Parkdale Iron Mine - numerous claims.
Four Mile - parts of two claims.
Granite - parts of two claims.
Approximately 151 claims based on 1983 records.

Recent Company Activity

Drilling and exploration for uranium, base metals and precious metals by Noranda, Exxon and a number of other operators.


BUFFALO PEAKS
WILDERNESS STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
MEC Boundary
Scale ½"=1 mile
Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
Empire Hill
Horseshoe Mtn
Rocky Point
Gold Basin
Ptarmigan Peak
Weston Peak
Weston Pass
South Peak
Black Mtn
SAN ISABEL
NATIONAL
FOREST
PARK CO
CHAFFEE CO
Granite
Clear Cr Res
Buffalo Meadows
West Buffalo Peak
East Buffalo Peak
Jones Hill
Riverside
Dans Meadow
Mount Columbia
HARVARD
Arkansas River

# 2. FOSSIL RIDGE - WSA

Size: 47,400 acres

Gunnison National Forest (RARE II Crystal Creek - #02204 non-wilderness recommendation)

Gunnison County, Colorado; Third Congressional District

Location: About 8 miles northeast of Gunnison

Recommendations

A.) Forest Service -

Forest Service (R-2), Grand Mesa, Uncompahgre and Gunnison National Forest Land and Resource Management Plan, October, 1983.

Capable: Yes. (WARS, 25). Manageable boundary.

Available: No. High mineral potential, low recreation visitor day capacity, lack of control over activities on patented mining claims.

Need: No. 550 thousand acres of wilderness in Gunnison River Valley, no biotic species needing wilderness environment for survival. No unique land forms or ecosystems.

Total area recommended unsuitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

This area is high in mineral potential and is very favorable for several types of mineral deposits. NURE reports that strong, widespread uranium anomalies exist; the area is estimated to contain over 34 million lbs. of U_3O_8. The largest area with substantiated potential is the area surrounding So. Lottus Creek in the northern portion of the WSA and along Crystal Creek and the Mill Lake area, located in the heart of the WSA.

High potential for thorium and light rare-earths* occurs in the Summerville Creek area extending into Gandy Gulch. This rare-earth element-rich zone also appears east of Henry Mountain.

Large substantiated gold and silver potential exists throughout the Fossil Ridge WSA mainly in the southeastern portion along Gold Creek and the northeastern section near Cross Mountain to Cameron Mountain. Gold, silver, lead, zinc and copper production has come from five major and many smaller mines in those areas. Similar precious metals potential is in the Green Mountain and Union Park area, where evidence of past production exists.

Resource potential also exists for copper, lead, zinc and molybdenum in the mining districts and in numerous smaller areas. A strong copper-zinc anomoly is in Boulder Gulch indicating possible extension into the Gold Brick mining district.

* Rare-earth elements include thorium, cerium, lanthanum, hafnium and ytterbium.

2. FOSSIL RIDGE - Page 2

Other minerals occurring with moderate potential are cobalt, chromium, tungsten, beryllium, boron, tin, nickel and lead. A large rich resource of high-calcium limestone occurs in the middle portion of the WSA.

U.S. Geological Survey and U.S. Bureau of Mines mineral surveys show major parts of the area to have substantiated or probable mineral resource potential (USGS Professional Paper 1300).

Recorded Production

Gold Brick District:

Produced at least $6.1 million through 1970. Two active mines in 1980 were the Carter (Comanche) and the Chloride. The Gold Links mine is being developed. District production of approximately 80,000 oz. Au through 1979. Other mines: Raymond, Cortland and Sacramento.

Tincup District:

Total production through 1949 was approximately $3.7 million. Approximately 16,400 oz. Au produced through 1959. Major mines: Fairview, Silent Friend, Maid of Athens, Silver Islet, Gold Cup, Silver Cup, Tincup, Robert E. Lee, Drew, El Capitan, W. Gold Hill. The W. Gold Hill subdistrict produced greater than 70 tons of $\geq 11\%$ WO_3 during WWI and WWII, and >1000 tons of graphite during WWII.

Chronicle Mine - gold-lead-silver, $38,000 1889-1892.

Little Anna Mine - 25 tons of ore averaging 188 oz/ton silver, 1.5 oz/ton gold, and 22 percent lead.

Wahl Mine - three tons of ore assaying 2.67 oz/ton gold 1901-1935.

Union Park placers - $40,000 gold.

Mining Districts, Mines, and Claims

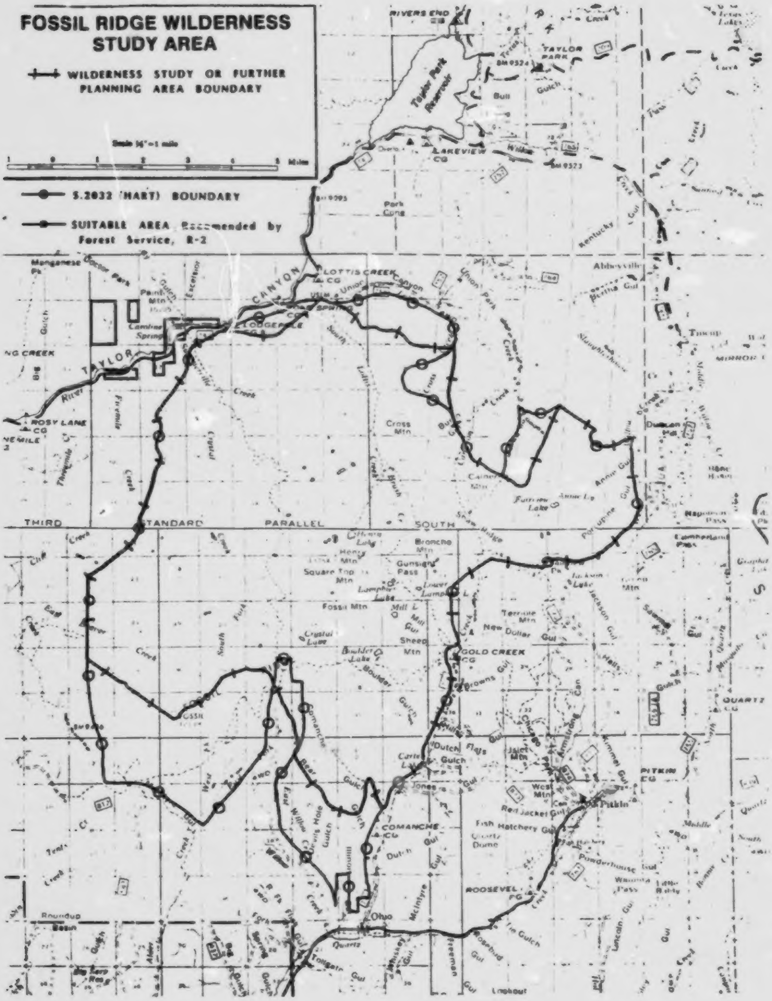
Mining districts: Gold Brick, Cross Mountain, and Tincup districts; Quartz Creek district is adjacent.

Mines: Several active, numerous inactive or abandoned.

Claims: Many active claims on BLM records; many tracts of patented mining claims exist within the wilderness study area.

Recent Company Activity

Exploration for molybdenum, gold and uranium has been active and is expected to continue. Several companies, Homestake, AMAX Exploration and Molycorp, have been actively working within the area in 1982; exploration for molybdenum by core drilling taking place adjacent to area in 1982. Also, much interest being shown in high-calcium limestone in the southern portion of the deposit in 1982.


FOSSIL RIDGE WILDERNESS STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½"=1 mile
Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA Recommended by Forest Service, R-2
RIVERS END CG
TAYLOR PARK
Taylor Park Reservoir
LAKEVIEW CG
Bull
Gulch
Park Cone
Kentucky
Abbeyville
Manganese Pk
Cocher Park
Gulch
Excelsior
Painter Mtn
Cement Springs
LOTTIS CREEK CG
CANYON
LODGEPOLE
Union
Canyon
Union Park
South
Lottis
NG CREEK
TAYLOR
River
Big
ROSY LANE CG
Fairview
Creek
Crystal
Cross Mtn
Cross
Brush
Carbon Mtn
Fairview Lake
Annie Lk
Annie Gul
Porcupine
Tincup
MIRROR L
Napoleon Pass
Cumberland Pass
THIRD
STANDARD
PARALLEL
SOUTH
Henry Mtn
Square Top Mtn
Bronco Mtn
Gunsight Pass
Lamphier Lake
Lower Lamphier Lake
Fossil Mtn
Mill L
Mill Gul
Sheep Mtn
Crystal Lake
Boulder Lake
Boulder
Terrible Mtn
New Dollar
Jackson Lake
Jackson Gul
GOLD CREEK CG
Browns Gul
QUARTZ CG
Comanche
Bear
Dutch Flats
Gulch
Carter Lake
Jones
PITKIN CG
Pitkin
Red Jacket Gul
Fish Hatchery Gul
Quartz Dome
COMANCHE CG
Dutch
Gul
East Willow
Doctor Park
Gulch
Powderhouse Gul
Waunita Pass
ROOSEVELT CG
Ohio
McIntyre
Quartz
Tollgate
Gul
Rosebud
Lincoln Gul
Roundup Basin
Creek
Lookout

3. GREENHORN MOUNTAIN - WSA

Size: 22,300 acres

San Isabel National Forest (RARE II, A2-270, wilderness recommendation)

Huerfano and Custer Counties, Colorado; Fourth Congressional District

Location: 2 miles southwest of Rye; 20 miles southwest of Pueblo

Recommendations

A.) Forest Service -

Forest Service (R-2), Wilderness Study Area Report, August, 1982.

Capable: Yes. (WARS, 19). Manageable boundary.

Available: Yes. Limited feasibility for management of wildlife winter range habitat, a relatively small amount of capable forest land on slopes less than 45 percent, and limited opportunities to increase water yield.

Need: Yes. Existing and potential habitat for Greenback Cutthroat Trout (threatened). Potential habitat for Peregrine Falcon (endangered).

22,300 acres recommended as suitable for inclusion in N.W.P.S.

B.) MEC - 15,260 acres (Est.); proposes boundary change.

Mineral Potential

Tungsten mineralization is likely to be present in the WSA due to the evidence of tungsten, plus barium, lanthanum and yttrbium, draining into South Apache Creek. Uranium and thorium occurrences have been discovered south of the WSA and evidence indicates similar occurrences are likely to extend northward into the WSA. Uranium anomalies have also been noted in streams on the northeast and west side of the area.

The geology of the southern portion of the WSA is favorable for oil and gas potential; oil and gas lease applications covered approximately 100 acres in the southern portion. Old drill holes in the area reported no production, however. Probable tungsten mineral resource potential is described in U.S. Geological Survey 1300.

Recorded Production

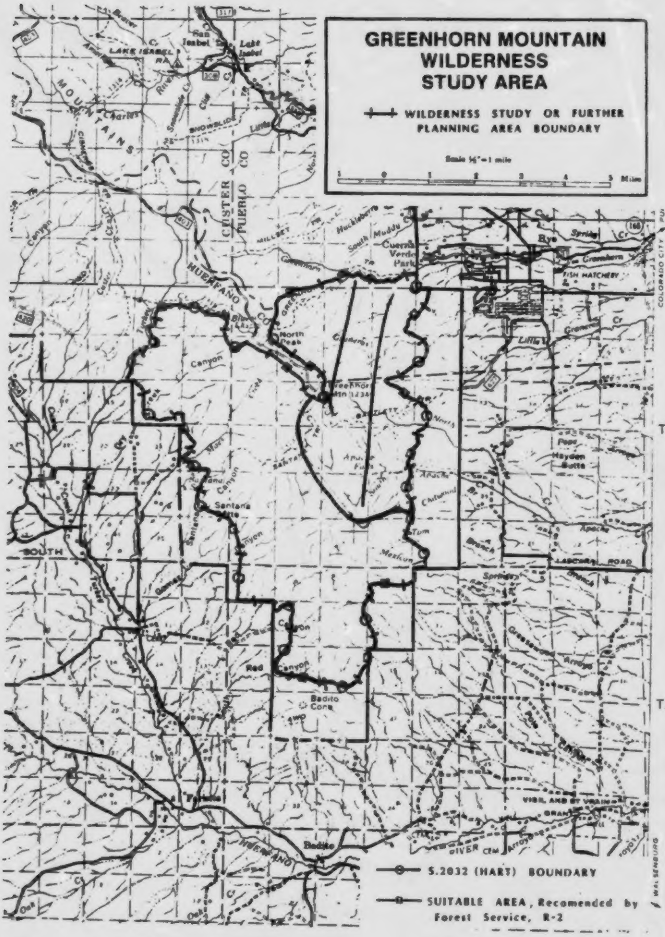
None.

Mining Districts, Mines, and Claims

In September 1982, about 100 acres within the study area were covered by oil and gas lease applications.

Recent Company Activity

None.


GREENHORN MOUNTAIN
WILDERNESS
STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
LAKE ISABEL
San Isabel
Lake Isabel
MOUNTAINS
CUSTER CO
PUEBLO CO
HUERFANO CO
Huckleberry
South Muddy
Cuerna Verde Park
Rye
FISH HATCHERY
North Peak
Greenhorn Mtn 12347
Apache
T.25S
Hayden Butte
Santana Butte
Canyon
Badito Cone
T.26S
SOUTH
RIVER
Badito
COLORADO CITY
WALSENBURG
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2

4. SOUTH SAN JUAN - WSA

Size: 32,800 acres; North Montezuna Peak 13,000 acres
South V-Rock Trail 19,800 acres

San Juan National Forest (RARE II, D2-284 & E2-284, non-wilderness recommendation)

Rio Grande, Archuleta, Mineral and Conejos Counties, Colorado;
Third Congressional District

Location: 20 miles east of Pagosa Springs

Recommendations

A.) Forest Service -

Forest Service (R-2), San Juan National Forest Land and Resource Management Plan, September, 1983.

Capable: Moderate capability (WARS-Montezuma Peak 20, V-Rock Trail 17).

Available: No. Mineral potential high, 23,580 acres suitable for timber management, wildlife habitat improvement projects, motorized, recreation.

Need: No. Includes landforms and ecosystems found in Weminuche and South San Juan Wilderness.

Total area recommended unsuitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

The northern portion of the WSA, Montezuma Peak, has seen active exploration on and off since 1882. The area is on the southern end of a mineral belt where several mining districts produced lead-zinc, silver and gold. Mineralization in these districts is similar to that in the WSA, which has excellent potential for further gold, lead-zinc and silver resources. Estimated reserves of 900 tons of low-grade silver base metals are at the Lady Bug Mine.

Also, a high potential exists for a large, buried porphry deposit of molybdenum and/or copper. Drilling has occurred in this area as recently as 1982.

The V-Rock, southern portion of the WSA has moderate potential for oil and gas resources. Since the study area is located approximately 50 miles northeast of the major San Juan Basin oil fields, and pools have been located as close as three miles to the boundary, there is geologic reason to believe similar pools could exist.

4. SOUTH SAN JUAN - Page 2

A coal deposit exists in the northwestern portion of the WSA, but further exploration is necessary to determine its extent. Probable mineral resource potential is described for both areas in U.S. Geological Survey Professional Paper 1300.

Recorded Production

None.

Mining Districts, Mines, and Claims

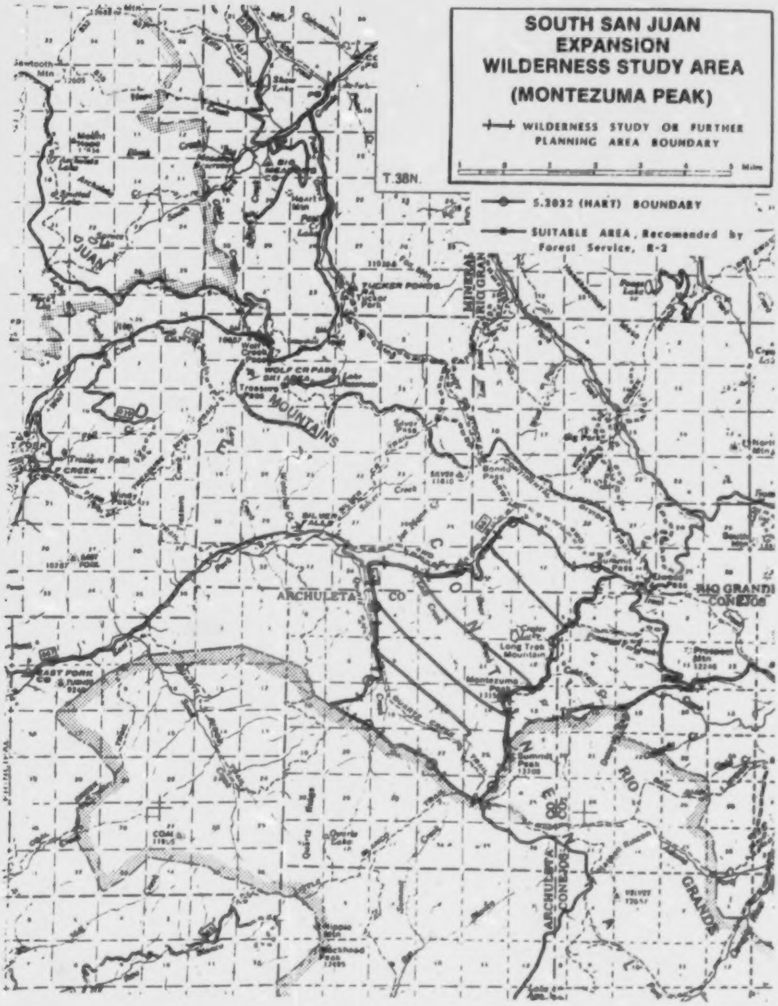
Crater and Elwood mining districts located in northern area. There is one mine with 1,100 feet of workings, several small adits and numerous prospect pits.

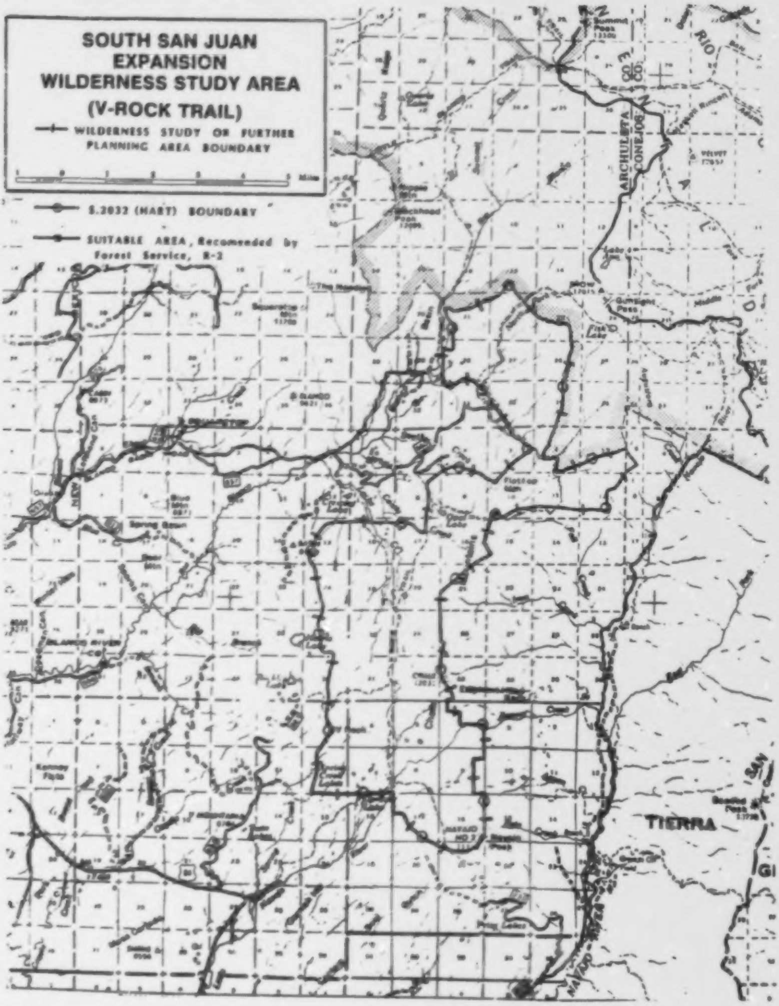
Two patented mining claims border this area; numerous unpatented mining claims have been staked inside the area.

Several unpatented claims are located in the V-Rock portion also.

Recent Company Activity

Extensive claim staking by AMAX Exploration, Inc. and by Noranda Exploration, Inc., and core drilling by AMAX during the summers of 1982 and 1983 in the Montezuma portion. No known company activity has occurred in the southern section.


SOUTH SAN JUAN EXPANSION WILDERNESS STUDY AREA (MONTEZUMA PEAK)
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
T.38N.
ARCHULETA CO
MOUNTAINS
WOLF CR PASS SKI AREA
Long Trek Mountain
Montezuma
RIO GRANDE CONEJOS
ARCHULETA CONEJOS
RIO GRANDE
MINERAL RIO GRANDE
SAN JUAN
CONEJOS
Summit Peak
Silver Falls
Treasure Falls



SOUTH SAN JUAN
EXPANSION
WILDERNESS STUDY AREA
(V-ROCK TRAIL)

WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
RIO GRANDE
ARCHULETA CO.
CONEJOS CO.
Summit Peak
TIERRA
SAN
GI
NAVAJO RIVER
NAVAJO
Bearing Pass

# 5. **PIEDRA** - WSA

Size: 41,500 acres

San Juan National Forest (RARE II #A2292, wilderness recommendation)

Hinsdale and Archuleta Counties, Colorado; Third Congressional District

Location: 30 miles west of Pagosa Springs

Recommendations

A.) Forest Service -

Forest Service (R-2), San Juan National Forest Land and Resource Management Plan, September, 1983.

Capable: Yes. (WARS, 24). Manageable boundary.

Available: Yes. Opportunities to harvest timber outside Study Area to meet foreseeable local industry needs; low mineral potential.

Need: Includes a significantly higher representation of Douglas-fur, Aspen and Ponderosa Pine ecosystems than in nearby wildernesses (lower general elevation).

41,500 acres recommended as suitable for inclusion in N.W.P.S.

B.) MEC - 41,500 acres.

Mineral Potential

The area was listed as favorable by NURE geologists, containing an estimated uranium endowment of approximately 1,700,000 pounds of U_3O_8. These same vein environments are anomalous in silver, zinc and lead in the NURE data, and can be considered favorable for these metals, also. Second Box Canyon exhibits a geochemical signature analogous to other areas that contain placer deposits of gold and other heavy minerals.

We believe, however, that more recent studies conducted by the U.S. Geological Survey, including geophysical and geochemical studies of the WSA, indicate little promise for the occurrence of energy or mineral reserves (U.S. Geological Survey Professional Paper 1300).

The potential for significant oil and gas resources appears low even though similar rock types found in other areas have produced oil and gas. Lease applications were pending on two square miles in the WSA in January, 1983, however.

Gypsum mined at the Medicine Bow Mine adjacent to the WSA is for medicinal purposes, but the gypsum trend into the WSA does not appear to be in recoverable quantities.

Recorded Production

None.

Mining Districts, Mines, and Claims

No mining districts in or near the Piedra Wilderness Study Area.

No known mines or prospects inside study area.

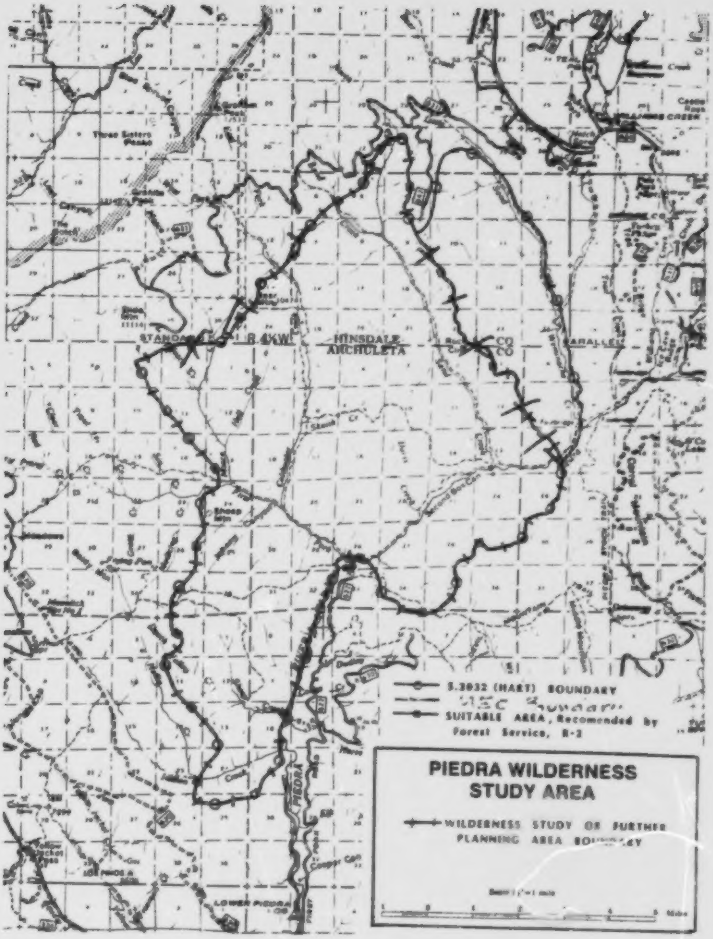
One patented mining claim adjoins the study area on the west side; here a small amount of gypsum was mined for medicinal purposes.

Several unpatented claims lie inside the study area.

Several oil and gas leases are close to the study area on the south side.

Recent Company Activity

No recent company activity is known for the study area.


Three Sisters Peaks
STANDARD
R 4 W
HINSDALE
ARCHULETA
CO
CO
PARALLEL
PIEDRA
LOWER PIEDRA CG
Cooper Cr
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
PIEDRA WILDERNESS STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Miles

6. SANGRE DE CRISTO - WSA

Size: 217,832 acres; includes 4,910 acres of BLM WSAs including Black Canyon, South Piney Creek, Papa Keal and Zapata Creek

San Isabel and Rio Grande National Forest (RARE II, A2-266, wilderness recommendation)

Saguache, Custer, Fremont, Huerfano and Alamosa Counties, Colorado; Third Congressional District

Location: 20 miles northeast of Alamosa

Recommendations

A.) Forest Service -

Forest Service (R-2), Wilderness Study Report, August, 1982.

Capable: Yes. (WARS, 24). Boundary modifications to remove unmanageable areas.

Available: Yes. With boundary modification to meet needs for capable forest land, potential demands for minerals, access to patented mining claims and provide land and need to increase water yield.

Needed: Yes. There is a lack of areas in the southern portion of the Forest.

191,700 acres are recommended as suitable for inclusion in the N.W.P.S.

B.) MEC - 130,900 acres (Est.); proposes boundary change.

Mineral Potential

The 70 mile long area encompasses the entire mountain range which holds identified mineral resources of gold, silver, tungsten and copper. While there is high potential for these commodities, strong mineralization is also evident for molybdenum, lead and iron. Anomalies are also evident in cobalt, barium, zinc, uranium and rare-earths. In the past, both limited gold and uranium production has occurred from scattered workings.

Three areas host the majority of the known mineralization in the Sangre de Cristos. A northwest fault follows the western boundary of the WSA where gold occurs throughout the zone. Copper, iron, lead and silver are found in pockets. The old Orient Mine, just outside the boundary, produced iron. There are indications of gold mineralization in various places throughout the area's hot springs, plus geothermal potential in the Valley View Hot Springs area.

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6. SANGRE DE CRISTO - Page 2

A large area known as the Rio Alto Stock, located on a fault on the northeastern side of the range, has evidences of molybdenum, copper, tungsten and gold. Recent exploration activity has occurred in this area.

The third highly distinctive mineralized area is near Blanca Peak on the southern end of the WSA where high potential exists for gold, silver and tungsten resources. S. 2032 includes the richest portion of this tungsten-silver-gold resource in the Sangre de Cristos where development work has occurred.

NURE reports uranium, barium, cobalt, zinc and rare-earths in the Jones Creek-Humboldt Peak area. Similar anomalies exist in the Marble Mountain, Horn Peak and Rio Alto areas. Uranium occurrences are strongest here; 7.4 million lbs. of U_3O_8 were estimated at Horn Peak in recent years. U.S. Geological Survey Professional Paper 1300 reports that much of the area shows probable mineral resource potential.

Recorded Production

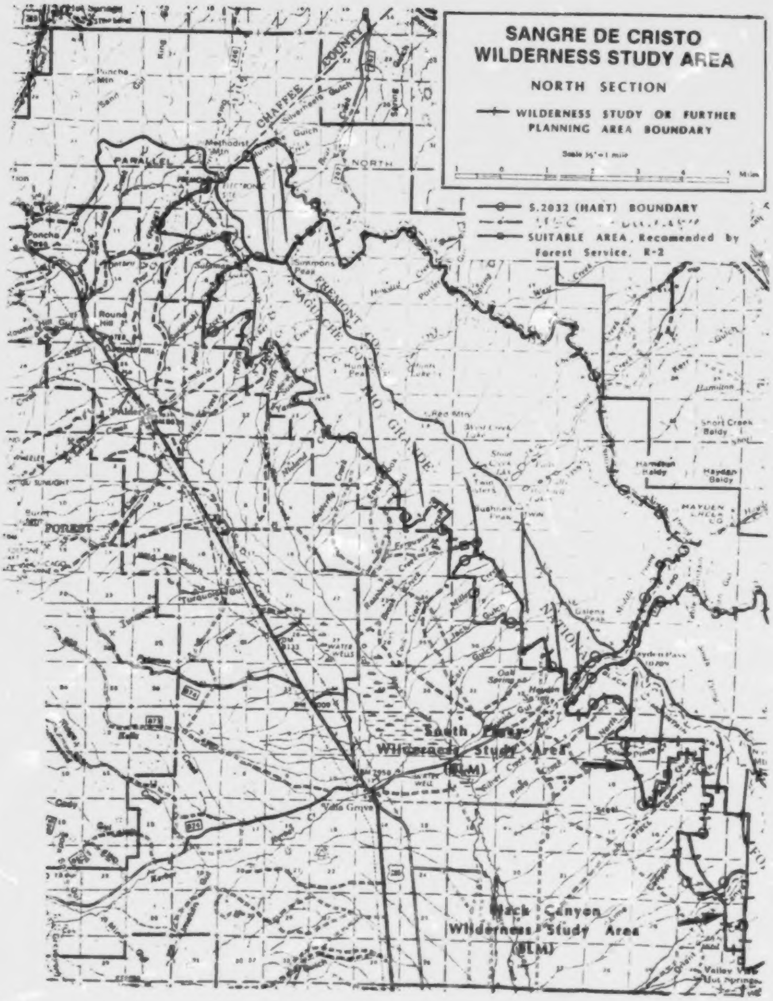
Small quantities of uranium, gold, copper, silver. Most production is unrecorded.

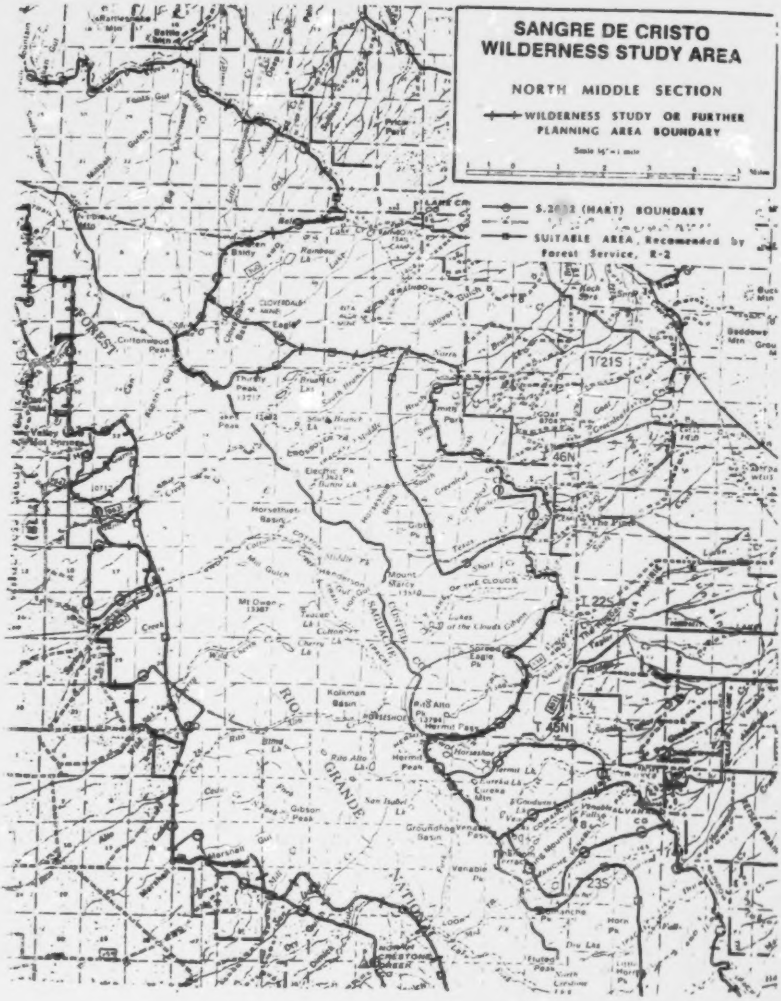
Mining Districts, Mines, and Claims

All or part of 22 mining districts are in the WSA. Many inactive mines and prospects exist. Approximately 294 patented mining claims are in the WSA, according to 1983 records.

Recent Company Activity

Drilling for uranium by Homestake and Pioneer Nuclear. Exploration for copper by Inspiration-Consolidated Copper Co. Exploration for molybdenum by Molycorp. Uranium exploration by Exxon and others. Jaurez Gold has been active in the area.


SANGRE DE CRISTO
WILDERNESS STUDY AREA
NORTH SECTION
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
Poncho Mtn
CHAFFEE
COUNTY
Methodist Mtn
PARALLEL
NORTH
Poncho Pass
Round Hill
Simmons Peak
FREMONT
SAGUACHE
CO
RIO GRANDE
Red Mtn
Hunts Peak
Hunts Lake
Short Creek Baldy
Hamilton Baldy
Hayden Baldy
HAYDEN CREEK CO
Twin Sisters
Bushnell Peak
Galena Peak
NATIONAL
FOREST
Hayden Pass
Tuttle
South Fork
Wilderness Study Area
(BLM)
Villa Grove
Black Canyon
Wilderness Study Area
(BLM)
Valley View Hot Springs


SANGRE DE CRISTO
WILDERNESS STUDY AREA
NORTH MIDDLE SECTION
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
0
1
2
3
4
5
Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
Rattlesnake Mtn
Cottonwood Peak
Thirsty Peak
Electric Pk
Horsethief Basin
Mt Owen
Mount Marcy
Kolkman Basin
Rito Alto Pk
Hermit Pass
Hermit Peak
Eureka Mtn
Gibson Peak
Venable Pk
Horn Pk
Fluted Peak
T 21S
46N
T 22S
45N
23S
RIO GRANDE
NATIONAL
FOREST
SAN ISABEL
CUSTER CO
SAGUACHE CO
ALAMOSA CO
CRESTONE
NORTH CRESTONE CREEK
Valley View Hot Springs
Lakes of the Clouds
Horseshoe
Rainbow Lk
Cloverdale Mine
Comanche
Venable Falls
Groundhog Basin
Dry Lks

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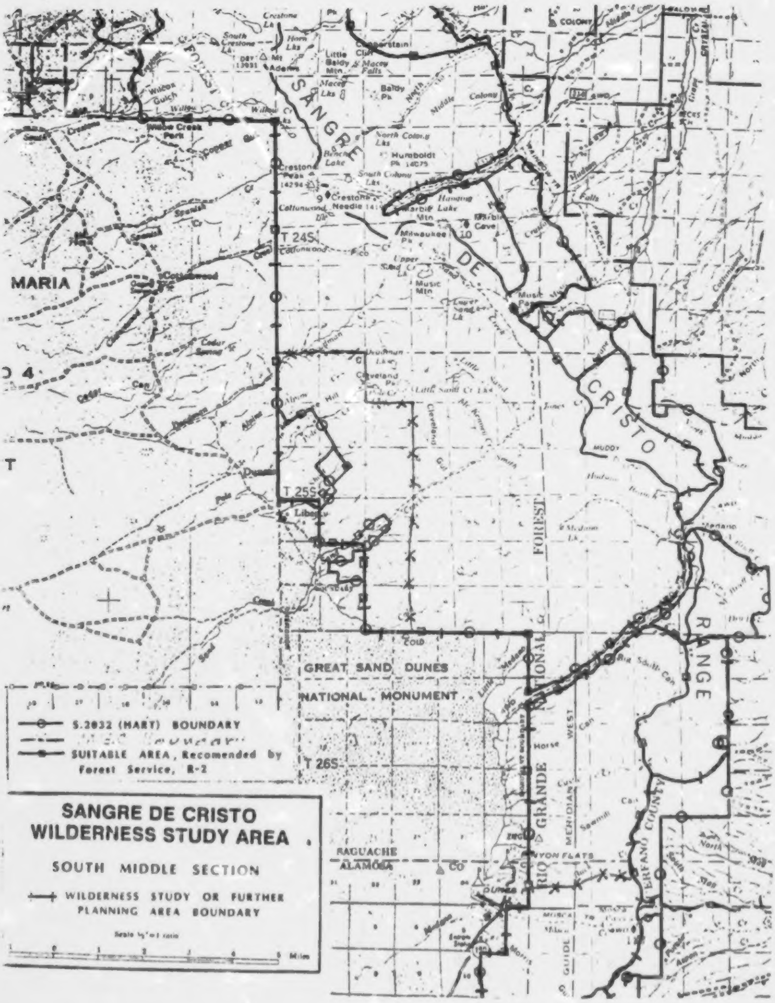
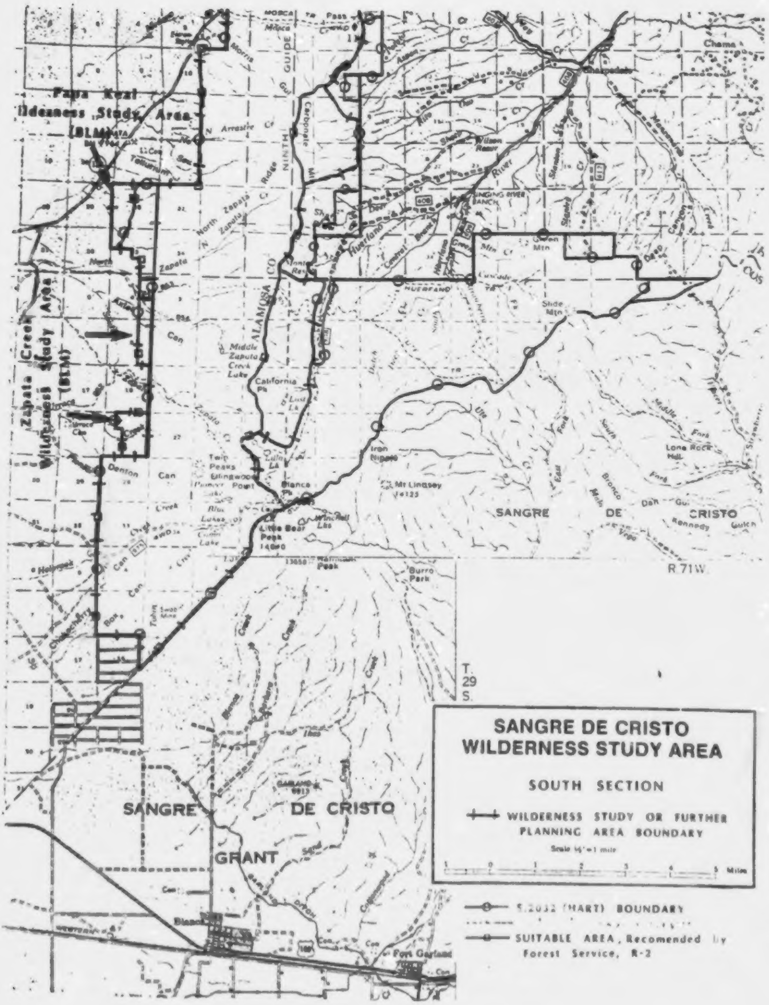

SANGRE DE CRISTO
WILDERNESS STUDY AREA
SOUTH MIDDLE SECTION
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
SANGRE
DE
CRISTO
RANGE
GREAT SAND DUNES
NATIONAL MONUMENT
RIO GRANDE NATIONAL FOREST
HUERFANO COUNTY
SAGUACHE
ALAMOSA
MARIA
T 24S
T 25S
T 26S
Crestone Peak
Crestone Needle
Humboldt Pk
Music Mtn
Music Pass
Marble Mtn
Milwaukee Pk
Cleveland Pk
Colony
Willow Creek Park
Cottonwood
Liberty
Mosca Pass
Medano
Zapata
Huerfano
West Pk
Mt Adams
Little Baldy Mtn
Baldy Pk
Macey Falls
Hudson Falls
Muddy
MERIDIAN
GUIDE
Big Sand Cr
Pioneer
Sand Cr
Horse Cr
Sawmill Cr
Cedar
Spanish
Copper
North Colony
Middle Colony
South Colony Lks
Upper Sand Cr Lk
Lower Sand Cr Lk
Little Sand Cr Lks
Cotton Cr
Deadman
Alpine
Dunes
Cold Cr
Mosca


SANGRE DE CRISTO
WILDERNESS STUDY AREA
SOUTH SECTION
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
Papa Keal Wilderness Study Area (BLM)
Zapata Creek Wilderness Study Area (BLM)
ALAMOSA CO.
NINTH GUIDE
Huerfano
SINGING RIVER RANCH
Greenhorn Mtn
Slide Mtn
California Pk
Twin Peaks
Ellingwood Point
Blanca Pk
Little Bear Peak 14040
Mt Lindsey 14125
Iron Nipple
Lone Rock Hill
SANGRE DE CRISTO
SANGRE DE CRISTO GRANT
Burro Park
Blanca
Fort Garland
Gardner
Chama
T. 29 S.
R 71 W.

7. SPANISH PEAKS - WSA

Size: 19,570 acres

San Isabel National Forest (RARE II, A2-271, wilderness recommendation)

Huerfano and Las Animas Counties, Colorado;
Third and Fourth Congressional Districts

Location: 8 miles south of LaVeta

Recommendations

A.) Forest Service -

Forest Service, Wilderness Study Report, August, 1982.

Capable: No. (WARS, 16). Patented tracts and mining claims, access roads and external impacts tend to severely affect the ability to manage the area as an enduring wilderness resource.

Available: No. Moderate to high potential for both locatable and leasable minerals. Vegetative management needed to help reduce insect and disease occurrence on the area. Need for motorized recreation. Need for improvement and maintenance of wildlife winter range and habitat diversity.

Need. No. Could be better met in the Sangre de Cristo and Greenhorn Mountain WSAs.

Total area recommended unsuitable for inclusion in the N.W.P.S.

*Note: It is suggested that the name be changed to Wahatoya, as there is already a Spanish Peaks Wilderness in Montana.

B.) MEC - opposes wilderness designation.

Mineral Potential

The Bulls Eye Mine sits on the north side of West Spanish Peak in the heart of the WSA. Gold, silver, lead, zinc and copper, once produced from the mine, still occur around the Peak and in streams draining from it. Two other mines and workings exist on the east and southeastern side of West Spanish Peak. While government geologists claim gold-silver mineralization is low grade (USGS Professional Paper 1300), placer exploration activities are still occurring in the area.

NURE reports lead and zinc potential near Cottonwood Canyon and occurrences of uranium, copper and lead near the northwestern corner of the WSA. The area is considered favorable for uranium as an extension of the Sangre de Cristo formation.

The area is covered with oil and gas lease applications, although the Bureau of Mines and USGS (Professional Paper 1300) claim there is little evidence for such deposits to exist.

7. SPANISH PEAKS - Page 2

Recorded Production

168 oz. gold, 1,176 oz. silver, 92 lb. copper, and 1,067 lb. lead before 1908, a few ounces of placer gold 1932-1934, 4 tons lead-silver ore produced 1934-1935.

Mining Districts, Mines, and Claims

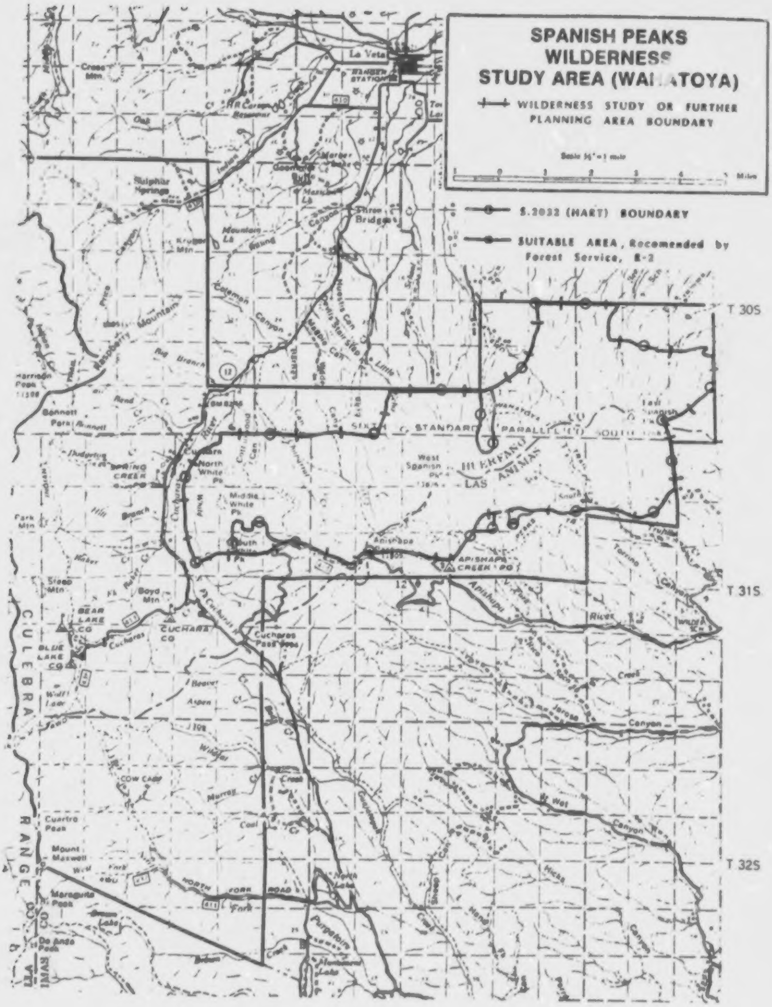
Mining district: Bulls Eye or Laveta (inactive).

Mines: None active, several inactive or abandoned.

Claims: No active claims on BLM records; four tracts of patented mining claims exist within mining district in the roadless area.

Recent Company Activity

Oil and gas lease applications cover most of roadless area, oil and gas drilling within two miles of roadless area in 1982, portions of Trinidad Known Recoverable Coal Resource Area (TKCRA) adjacent to roadless area. Placer interests.


SPANISH PEAKS WILDERNESS STUDY AREA (WAHATOYA)
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
La Veta
RANGER STATION
Sulphur Springs
Three Bridges
West Spanish Peak
East Spanish Peak
HUERFANO
LAS ANIMAS
SIXTH STANDARD PARALLEL SOUTH
CUCHARA CG
Cucharas Pass
APISHAPA CREEK CG
BEAR LAKE CG
BLUE LAKE CG
CULEBRA RANGE
T 30S
T 31S
T 32S

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8. VASQUEZ PEAK - WSA

Size: 12,800 acres

Arapahoe National Forest (RARE II, A2-361, wilderness recommendation)

Grand County, Colorado; Third Congressional District

Location: 6 miles south of Winter Park

Recommendations

A.) Forest Service -

Forest Service (R-2), Routt National Forest Land and Resource Managment Plan, October, 1983.

Capable: Yes. (WARS, 21). Manageable boundary.

Available: Yes. A portion of area does have a moderate to high potential for minerals.

Need: Yes. Due to proximity to Denver metro area.

12,800 acres recommended as suitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

The Vasquez Peak study area is within the Colorado Mineral Belt and part of the Daily mining district and has numerous evidences of mineralization, especially along the eastern boundary. The Berthoud Pass fault lies within the eastern and southern edge where substantial potential for high grade lead-zinc-silver deposits exists. This fault zone has been the site of active exploration in the last few years.

The potential for uranium deposits along this zone is also very high, according to recent exploration reports. NURE classifies the area as very favorable for uranium deposits.

The Silver Plume granite trend, which holds the molybdenum orebody for both AMAX's Henderson Mine and Urad Mine, extends into the southern portion of the WSA. These major mines plus numerous smaller mines are located within a mile south of the WSA. AMAX continues to conduct exploration in the area, as do other companies. Probable mineral resource potential is described by the USGS (Professional Paper 1300).

Recorded Production

None.

Mining Districts, Mines, and Claims

Districts: Southern part lies in part of the Daily mining district.

Mines: No mines.

Claims: Block of claims for uranium (north) and base metals (south).

Recent Company Activity

Amoco Minerals has investigated uranium occurrences on east side of area. AMAX exploration along fault zone extending south into area.

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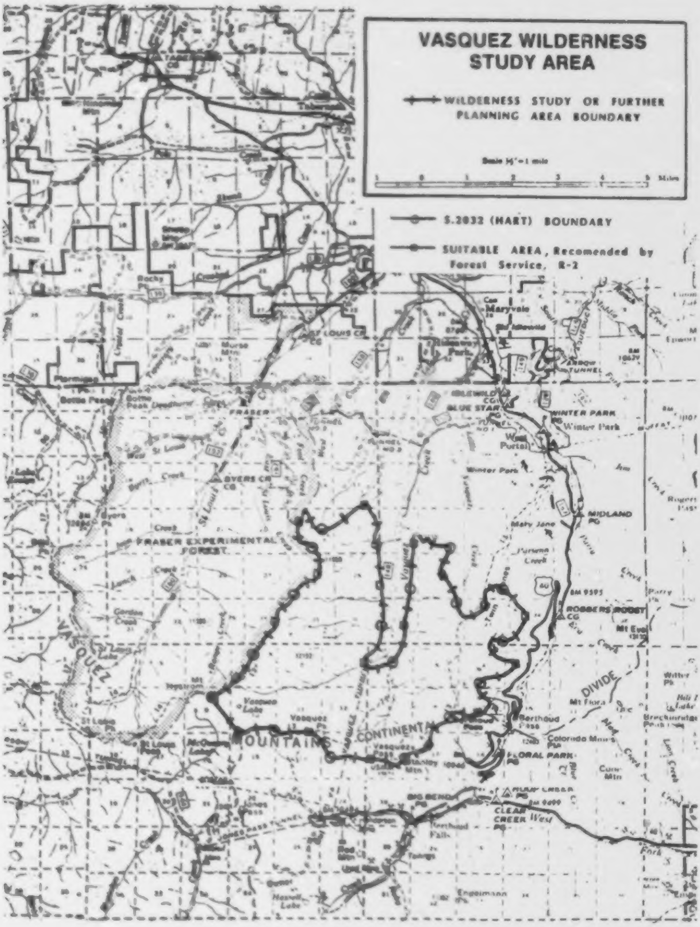
VASQUEZ WILDERNESS STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
FRASER EXPERIMENTAL FOREST
VASQUEZ
MOUNTAINS
CONTINENTAL
DIVIDE
WINTER PARK
MIDLAND PG
ROBBERS ROOST CG
BYERS CR CG
ST LOUIS CR CG
IDLEWILD CG
BLUE STAR
ARROW
Maryvale
Berthoud Pass
FLORAL PARK PG
BIG BEND PG
CLEAR CREEK PG
Vasquez Pk
Mt Nystrom
Byers Pk
Bottle Peak
Mt Flora
Colorado Mines Pk
Vasquez Lake
St Louis Pk
Winter Park
Mary Jane

9. WEST NEEDLE - WSA

Size: 21,580 acres; National Forest - 15,800
Bureau of Land Management - 5,780

*Note: About 4,000 acres of the BLM Study Area was transferred to the Forest Service by P.L. 98-141, October 31, 1983.

San Juan National Forest (RARE II, A2-303, wilderness recommendation)

San Juan and La Plata Counties, Colorado; Third Congressional District

Location: 5 miles south of Silverton

Recommendations

A.) Forest Service -

Forest Service (R-2), San Juan National Forest Land and Resource Management Plan, September, 1983.

Capable: Yes. (WARS, 21). Excludes 1240 acres near Lolas Lake where established motorized use would be difficult to prevent.

Available: Yes. But mineral values may be foregone. 640 acres of State of Colorado land within area.

Need: No.

20,340 acres recommended as suitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

Numerous small mines and workings border, or are within, the eastern boundary of the WSA. Information from these workings indicates minor lead-zinc and gold values in the area. Moderate to high values of silver occurring in adjacent faults may extend into the study area.

The Elk Park Mine on the eastern edge of the boundary has a potentially large uranium deposit which projects laterally into the study area. Exxon Minerals has drilled extensively at the mine in 1981-1982 and has claims in the WSA.

NURE estimates approximately 10 million lbs. of U_3O_8 within the study area.

The additional BLM study areas, West Needle, Needle Creek, Whitehead Gulch and Weminuche Contiguous have potential similar to the West Needle WSA. Base and precious metals mineralization is evident and the probability of a large uranium deposit in the BLM West Needle addition exists.

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9. WEST NEEDLE - Page 2

Recorded Production

Probably some limited production of base and precious metals, but none recorded. A couple hundred tons of low grade uranium from the Elk Park Mine, located on the boundary of the West Needle BLM WSA.

Mining Districts, Mines, and Claims

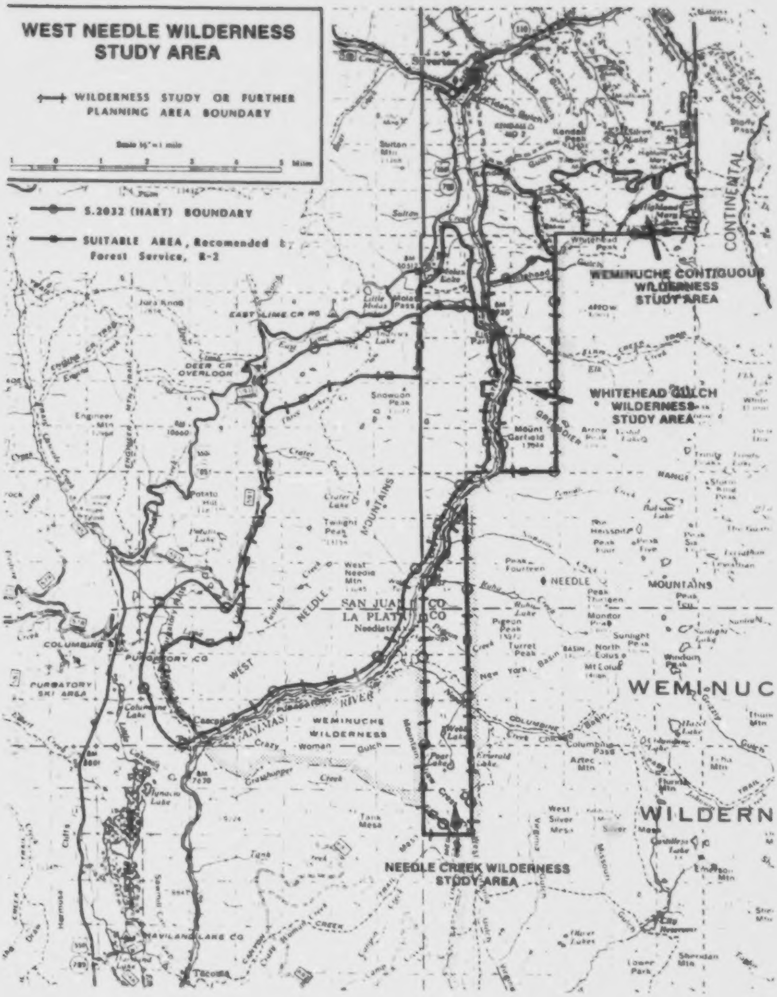
Districts: Needle Mountain, Animas.

Mines: Bitteroot Mine, Hidden Hole Prospect, several other small prospects.

Claims: Several unpatented claims in the West Needle WSA. Elk Park (Surprize) uranium claims situated within 1/8 mile of the West Needle BLM WSA. Several unpatented claims in all the BLM recommended WSAs. Several patented claims near the BLM WSAs.

Recent Company Activity

Drilling and mapping in 1979 at the Elk Park Mine by Exxon.


WEST NEEDLE WILDERNESS STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
Silverton
WEMINUCHE CONTIGUOUS WILDERNESS STUDY AREA
CONTINENTAL
WHITEHEAD GULCH WILDERNESS STUDY AREA
EAST LIME CR PG
DEER CR OVERLOOK
Engineer Mtn
Potato Hill
Snowdon Peak
Molas Pass
Twilight Peak
Mount Garfield
GRENADIER
RANGE
WEST NEEDLE MOUNTAINS
West Needle Mtn
NEEDLE
MOUNTAINS
SAN JUAN CO
LA PLATA CO
Needleton
Pigeon Peak
Turret Peak
North Eolus
Mt Eolus
Sunlight Peak
Windom Peak
WEMINUC
WILDERN
COLUMBINE
PURGATORY CG
PURGATORY SKI AREA
ANIMAS RIVER
WEMINUCHE WILDERNESS
Crazy Woman Gulch
Columbine Pass
Aztec Mtn
West Silver Mesa
Tank Mesa
NEEDLE CREEK WILDERNESS STUDY AREA
HAVILAND LAKE CG
Tacoma
Lower Park
Sheridan Mtn

# 10. WHEELER GEOLOGIC - WSA

Size: 11,390 acres

Rio Grande National Forest (RARE II, portion of 02-278, non-wilderness recommendation)

Mineral County, Colorado; Third Congressional District

Location: 6 miles northeast of Creede

Recommendations

A.) Forest Service -

Forest Service (R-2), Study Area Report, May, 1983.

Capable: Yes. (WARS, 21). The south and east side lack natural features to establish a boundary.

Available: No. Geologic formation should be available to all people (elderly and handicapped). Wilderness would exclude vehicles. Colorado Comprehensive Outdoor Recreation Plan recommends increased priority on picnicing and four-wheeling for this region.

Need: No. 1.5 million acres within 100 miles.

Total area recommended unsuitable for inclusion in the N.W.P.S. Proposed management, designate 640 acres as a Special Interest Area with motorized travel corridor up to the geologic formation.

B.) MEC - opposes wilderness designation.

Mineral Potential

The Wheeler Geologic area, a mile-square tract, was withdrawn from mineral activity and set aside as a Forest Service geologic "monument" around 1960. The wilderness study area originated because of these unique volcanic formations, but encompasses a 21 square mile area surrounding the monument.

Even though this WSA is close to the Creede mining district and has similar geology, low mineral potential is reported. There is no evidence of past prospecting activity. Because of the volcanic activity, zinc and uranium anomalies occur, but are not believed to be linked to any significant mineralization.

Gold has been detected outside the southern boundary of the area, but not within the WSA.

Generally, very little surface mineralization exists and no drilling has occurred to test for buried deposits.

10. WHEELER GEOLOGIC - Page 2

Recorded Production

There is no record of mineral production from within the study area. The Creede mining district, located approximately 1/2 mile west of the study area boundary, produced approximately 70 million dollars worth of copper, gold, lead, silver and zinc from 1891-1966 (Meeves & Dernell, 1968, p. 5).

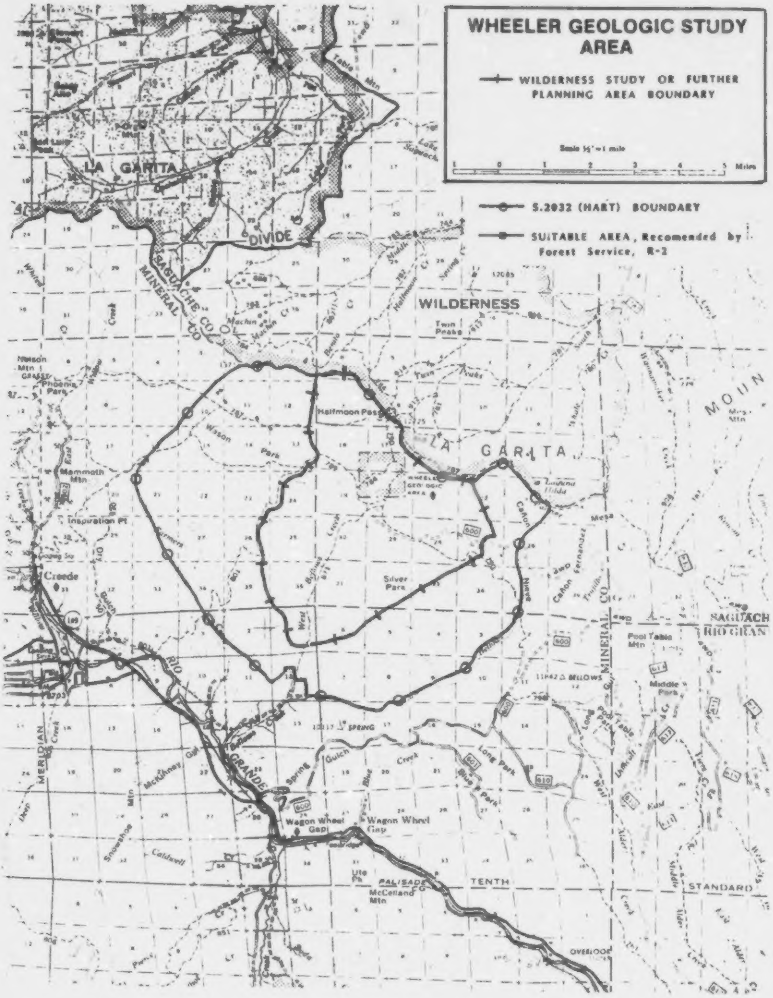
Mining Districts, Mines, and Claims

The study area is not a part of an organized mining district. The nearest mining district is the Creede. No mines or prospects are known to be present within the study area.

No patented mining claims are within the study area. Six unpatented mining claims are in the west-central part of the study area.

Recent Company Activity

Nye Metals Company staked mining claims within the study area during 1981. Homestake near the study area.


WHEELER GEOLOGIC STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
LA GARITA
DIVIDE
SAGUACHE CO.
MINERAL CO.
WILDERNESS
Twin Peaks
Halfmoon Pass
LA GARITA
MOUN
Wheeler Geologic Area
Wason Park
Silver Park
Nelson Mtn
Phoenix Park
Mammoth Mtn
Inspiration Pt
Creede
RIO GRANDE
MERIDIAN
Snowshoe Mtn
McKinney Gul
Wagon Wheel Gap
Ute Pk
PALISADE
McClelland Mtn
TENTH
STANDARD
Long Park
Pool Table Mtn
Middle Park
SAGUACH
RIO GRAN
MINERAL CO.
Canon Fernandez
Spring Gulch
Blue Creek
Caldwell
OVERLOOK

11. OH-BE-JOYFUL - WSA

Size: 5,500 acres

Gunnison National Forest (RARE II, portion of B2-181, non-wilderness recommendation)

Gunnison County, Colorado; Third Congressional District

Location: About 4 miles northwest of Crested Butte

Recommendations

A.) Forest Service -

Forest Service (R-1), Study Report, Draft EIS, June 4, 1981.

Capable: Yes. (WARS, 23).

Available: No. High likelyhood of significant economic and social value due to mineral resource potential.

Need: No. 600,000 acres nearby; not needed to improve land form and ecosystem representation. No vegetative or wildlife species have been identified as requiring wilderness environment for survival.

Total area recommended unsuitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

The study area has considerable potential for numerous types of mineral deposits. Resources of molybdenum are present in two deposits immediately adjacent to the area and several suspected close to and within the WSA. The Mt. Emmons molybdenum deposit and the Redwell Basin deposit are adjacent to the southwestern corner, and another area of potential molybdenum mineralization is in the northwestern part of the study area.

Very probable potential exists for silver-lead-zinc throughout the area, especially in the eastern and southern portions. The Oh-Be-Joyful Creek sediments indicate copper, lead, zinc and manganese are derived from Peeler Basin. Precious metal (gold-silver) veins exist and are likely offshoots from the Mt. Emmons deposit.

Indicated silver-lead-zinc resource of 10,000 tons average grade 0.6 oz/ton silver, 1.0 percent lead, and 1.4 percent zinc.

Inferred silver-lead-zinc resource of 400,000 tons average grade 0.6 oz/ton silver, 1.0 percent lead, and 1.4 percent zinc.

Inferred coal resource, in beds 1-6 feet thick, of 12 million tons, about half is recoverable.

High potential for molybdenum, silver, lead and zinc.

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11. OH-BE-JOYFUL - Page 2

NURE reports five uranium anomalies in the area; two in Democrat Basin, two in Peeler and one northeast of Blue Lake.

More than 1/2 of the area contains substantiated mineral resource potential for coal.

Oil and gas leases have blanketed the area as late as 1981.

Almost all of the area is described by the U.S. Geological Survey and U.S. Bureau of Mines as having substantial or probable mineral resource potential in the minerals described above. Past mineral activity is evident throughout the area.

Recorded Production

From Area	Immediate Vicinity
36 oz. gold	24,000 oz. gold
802 oz. silver	5.2 million oz. silver
346 lb. lead	6.6 million lb. copper
342 lb. zinc	30.9 million lb. lead
	55.2 million lb. zinc

Mining Districts, Mines, and Claims

Entirely within the Ruby mining district. On edge of Crested Butte coal mining district. Three inactive mines, many prospects.

All or part of five patented claims are in the WSA. About 84 percent of the area is covered by unpatented claims. Over 90 indications of past mineral exploration in Oh-Be-Joyful, i.e., adits, shafts, etc.

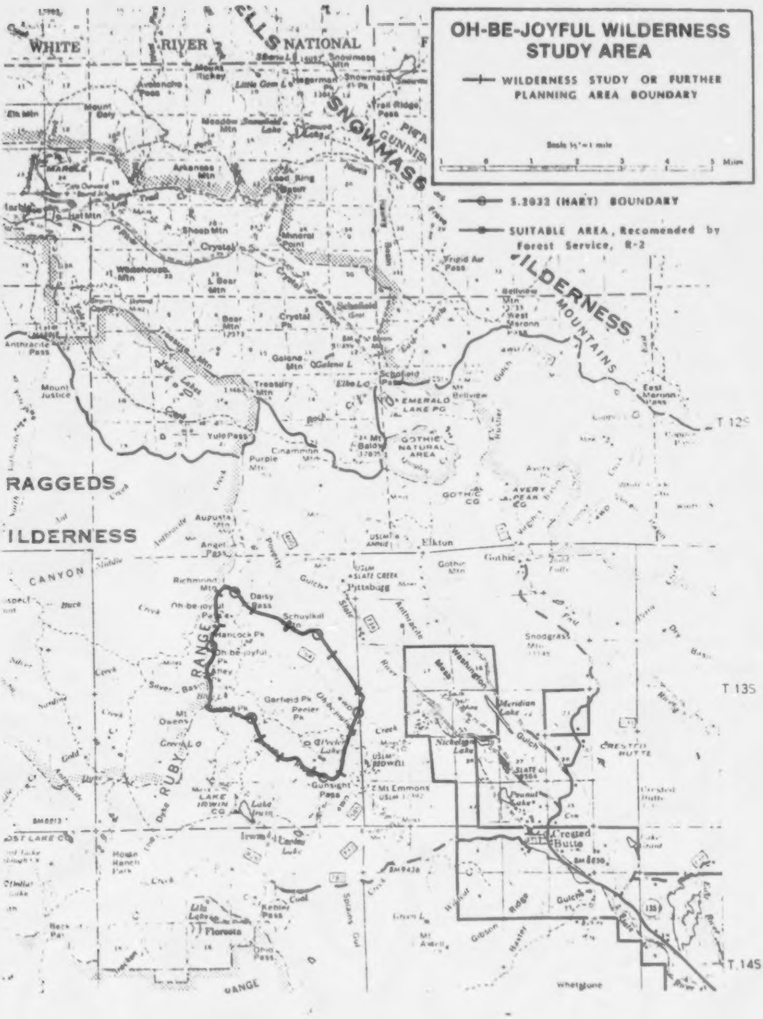
Recent Company Activity

Drilling by AMAX on edge of WSA encountered molybdenum.

Mapping and geochemistry by AMAX.

Geophysics by U.S. Energy Corp.

Oil and gas leases - 1980-81.


OH-BE-JOYFUL WILDERNESS STUDY AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
WHITE
RIVER
NATIONAL
SNOWMASS
WILDERNESS
MOUNTAINS
RAGGEDS
ILDERNESS
RUBY
RANGE
CANYON
Snowmass Mtn
Hagerman Pk
Avalanche Pass
Mount Sopris
Marble
Arkansas Mtn
Lead King Basin
Sheep Mtn
Crystal
Mineral Point
Whitehouse Mtn
Treasury Mtn
Crystal Pk
Galena Mtn
Galena L
Schofield Pass
Emerald Lake PG
Gothic Natural Area
Mt Baldy
Anthracite Pass
Mount Justice
Yule Pass
Purple Mtn
Cinnamon Mtn
Frigid Air Pass
Bellview Mtn
West Maroon Pass
East Maroon Pass
Mt Bellview
Avery Peak CG
Gothic CG
Augusta Mtn
Angel Pass
Elkton
Gothic
Gothic Mtn
Richmond Mtn
Daisy Pass
Oh-be-joyful Pass
Schuylkill Mtn
Hancock Pk
Oh-be-joyful Pk
Garfield Pk
Peeler Pk
Peeler Lake
Mt Owens
Green L
Gunsight Pass
Mt Emmons
Lake Irwin CG
Irwin
Pittsburg
Snodgrass Mtn
Washington Gulch
Meridian Lake
Nicholson Lake
Peanut Lake
Crested Butte
Kebler Pass
Floresta
Ohio Pass
Lily Lake
Mt Axtell
Gibson Ridge
Whetstone
T 12S
T 13S
T 14S

12. SPRUCE CREEK - WSA

Size: 8,000 acres

White River National Forest (RARE II, A2-177 [Porphyry Mtn.] non-wilderness recommendation)

Pitkin County, Colorado; Third Congressional District

Location: 9 miles northeast of Aspen

Recommendations

A.) Forest Service -

Forest Service (R-2), Draft EIS, September, 1980.

8,000 acres recommended as suitable for inclusion in N.W.P.S.

B.) MEC - 8,000 acres.

Mineral Potential

This study area has a low potential for mineral deposits. Rocks favorable for silver mineralization in the nearby Aspen mining district do not occur in this area. Historic prospects are rare and no anomalies exist in stream sediments.

Recorded Production

A few pounds of U_3O_8 from a mine on the north corner.

Mining Districts, Mines, and Claims

No mining districts, one small mine, no longer active, with a small block of associated claims.

Recent Company Activity

None known.

13. BIG BLUE WILDERNESS ADDITIONS--AMERICAN FLATS BLM - WSAs

Uncompahgre Forest and BLM Area
WSA - 5,980 acres

MEC - opposes wilderness designation.

Mineral Potential

Base and precious metals - moderate potential.

Recorded Production

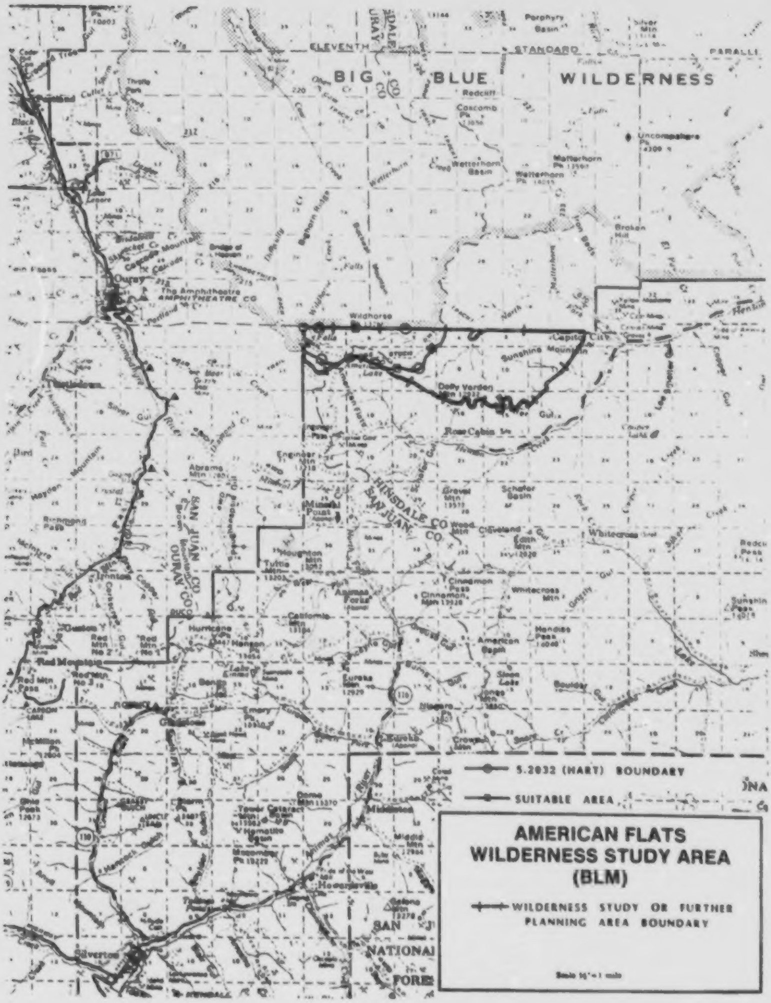
No recorded production.

Mining Districts, Mines, and Claims

The area is not in an organized mining district. There are no patented claims, but three current unpatented claims in the area.

Recent Company Activity

Homestake is drilling within one mile of the area.


BIG BLUE WILDERNESS
ELEVENTH STANDARD PARALLEL
Porphyry Basin
Silver Mtn
Redcliff
Coxcomb Pk
Uncompahgre Pk
Matterhorn Pk
Wetterhorn Pk
Wetterhorn Basin
Broken Hill
Ouray
The Amphitheatre
AMPHITHEATRE CG
Wildhorse
Capitol City
Sunshine Mountain
Dolly Varden Mtn
Rose Cabin
Engineer Mtn
Abrams Mtn
Mineral Point
HINSDALE CO
SAN JUAN CO
OURAY CO
Schafer Basin
Wood Mtn
Cleveland
Edith Mtn
Whitecross
Houghton Mtn
Tuttle Mtn
Animas Forks
Cinnamon Pass
Cinnamon Mtn
Whitecross Mtn
Handies Peak
American Basin
Sloan Lake
California Mtn
Hurricane Pk
Red Mtn No 2
Red Mtn No 1
Red Mtn No 3
Red Mountain
Red Mtn Pass
Ironton
Eureka
Eureka Mtn
Niagara
Boulder Gul
Cottonwood Creek
Crown Mtn
Howardsville
Middleton
Middle Mtn
Dome Mtn
Tower
Cataract
Hematite Basin
Macomber Pk
Galena Mtn
Silverton
SAN
NATIONAL
FORES
110
5.2032 (HART) BOUNDARY
SUITABLE AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY

AMERICAN FLATS WILDERNESS STUDY AREA (BLM)

# 14. SERVICE CREEK - FPA

Size: 39,860 acres

Routt National Forest (RARE II, A2-104 non-wilderness recommendation)

Routt County, Colorado; Third Congressional District

Location: 12 miles southeast of Steamboat Springs

Recommendations

A.) Forest Service -

Forest Service (R-2), Routt National Forest Land and Resource Management Plan, November, 1983.

Capable: Yes. (WARS, 21). Manageable boundary.

Available: Yes. Foregone would be 18,000 acres of land suitable for timber production. No mineral extraction activities in area.

Need: Yes. Low elevation forested ecosystem (Lodgepole Pine) not common to other wildernesses in the area.

39,860 acres recommended suitable for inclusion in the N.W.P.S.

B.) MEC - 39,860 acres.

Mineral Potential

Government studies show no favorable conditions for the occurrences of mineral resources. Although considerable mining activity has occurred north and south of the study area, the geology is different within the area.

NURE evidence does show that very strong silver anomalies exist in sediments of Silver and Service Creeks. A similar silver anomaly exists outside the FPA in Morrison and Beaver Creeks. In addition to silver, stream sediments collected from Silver and Service Creeks in the FPA are anomalous in chromium, nickel, thorium, uranium, tungsten and rare-earth elements. Samples from these two creeks also show elevated values of bismuth, iron, magnesium, niobium, tin and vanadium.

While further study could be done in these areas, the USGS reports that no mineral resource potential has been identified.

Recorded Production

No recorded production.

Mining Districts, Mines, and Claims

Mining districts: No known districts.

Mines: No known mines.

Claims: Small group of 18 unpatented claims located near Service Peak.

Recent Company Activity

No recent company activity known.

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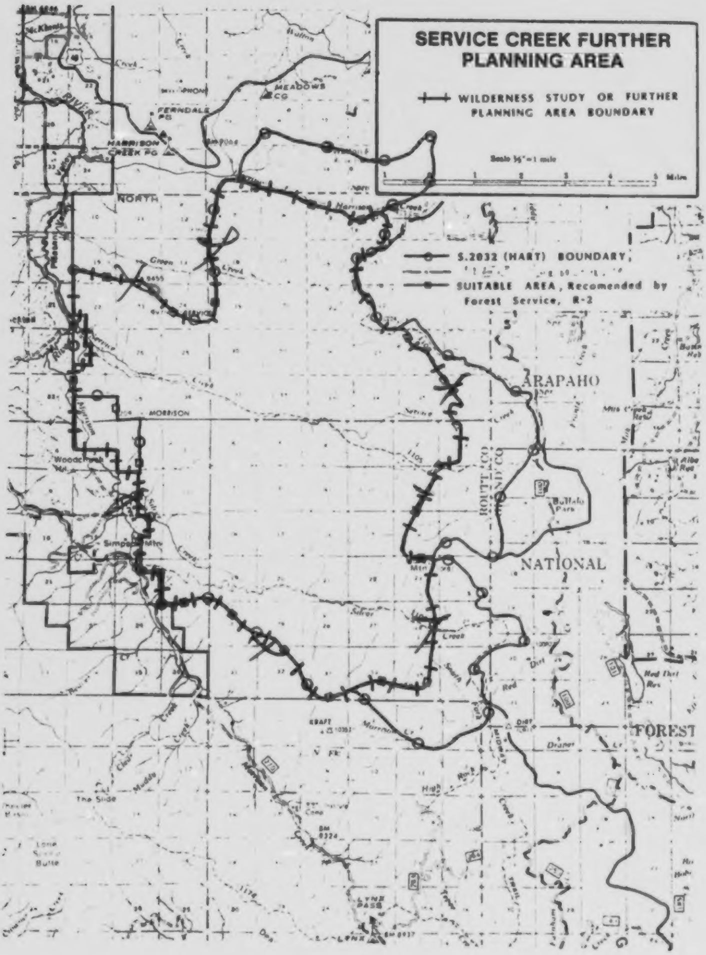

SERVICE CREEK FURTHER PLANNING AREA

WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1
1
2
3
4
5 Miles
S.2032 (HART) BOUNDARY,
SUITABLE AREA, Recomended by Forest Service, R-2
ARAPAHO
NATIONAL
FOREST
NORTH
ROUTT CO
GRAND CO
MORRISON
Simpson Mtn
Buffalo Park
MEADOWS CG
FERNDALE PG
HARRISON CREEK PG
RIVER
Harrison Creek
Green Creek
Service Creek
Silver Creek
Morrison Cr
Muddy Creek
Red Dirt Res
LYNX PASS
The Slide
Lone Spring Butte

15. CANNIBAL PLATEAU (Powderhorn) - FPA and BLM Study Area

Size: 31,990 acres

Gunnison National Forest (RARE II, 02, 218, further planning)

Hinsdale County, Colorado; Third Congressional District

Location: About 3 miles east of Lake City

Recommendations

A.) Forest Service -

Forest Service (R-2), Forest L & RM Plan, October, 1983.

Capable: Yes. (WARS, 22). Manageable boundary.

Available: Portion of area is available. West half has snowmobile use. Also in west half are special uses; Waterdog Lake and electronic site.

Need: Yes. Compliments adjacent Powderhorn Planning Area which has been recommended by BLM for wilderness.

13,599 recommended as suitable for inclusion in N.W.P.S.

B.) MEC - 23,680 acres (Est.); proposes boundary change.

Mineral Potential

Mineral potential in the two areas is low. No mining districts exist in the areas, but the Lake City mining district adjoins the Cannibal Plateau FPA at the southwest edge. The mineral resource survey indicates that the southwest part of this area has probable potential for gold, silver and molybdenum. Probable mineral resouce potential is described in the southern part of the area in U.S. Geological Professional Paper 1300.

Many small mines and prospects, north of the Powderhorn area, were established to explore for base and precious metals. The area also contains the largest titanium and columbium proven reserves in the United States. Deposits of rare earths, barite, biotite and apatite are also in this area.

Recorded Production

None.

Mining Districts, Mines, and Claims

Very few claims.

Recent Company Activity

None reported. However, Buttes Resource Company has a continuing development program in the Big Iron Hill area approximately two miles northeast of the proposed boundary. Their work includes exploration drilling, environmental assessment work and metallurgical testing of ores. The strategic minerals to be extracted are of extreme national importance. Establishment of wilderness boundaries in close proximity to this project could jeopordize its development.

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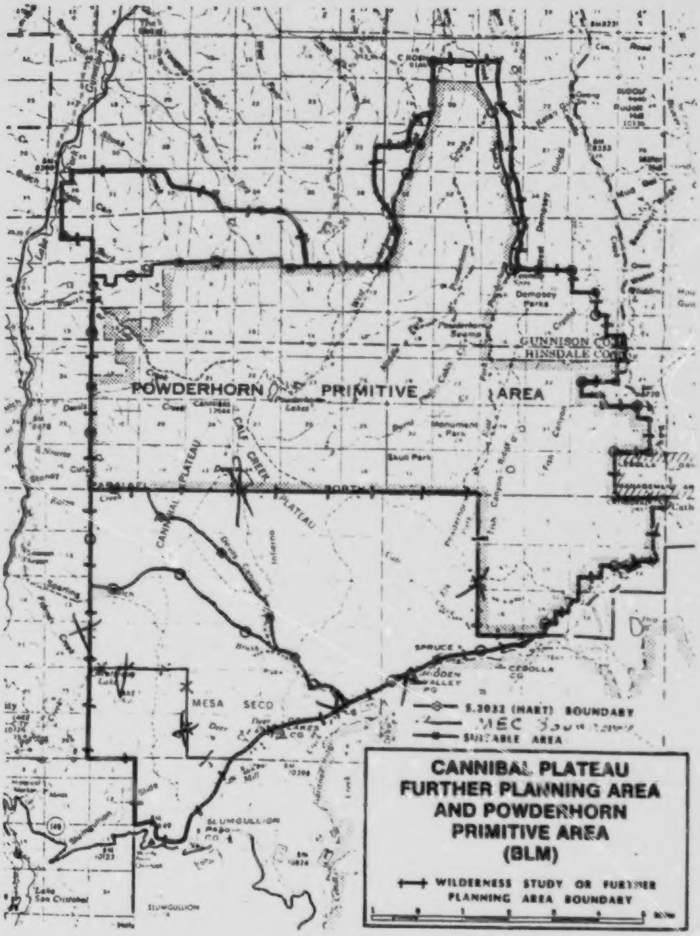

CANNIBAL PLATEAU
FURTHER PLANNING AREA
AND POWDERHORN
PRIMITIVE AREA
(BLM)

S.2032 (HART) BOUNDARY
MEC
SUITABLE AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
POWDERHORN PRIMITIVE AREA
CANNIBAL PLATEAU
CALF CREEK
NORTH PLATEAU
MESA SECO
GUNNISON CO.
HINSDALE CO.
Dempsey Parks
Powderhorn Swamp
Monument Park
Skull Park
SPRUCE
CEBOLLA CG
HIDDEN VALLEY PG
SLUMGULLION
Lake San Cristobal
149
0
1
2
3
4
5

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16. DAVIS PEAK - FPA (Mt. Zirkel Addition)

Size: 8,100

Routt National Forest (RARE II, A2-100, wilderness recommendation)

Jackson County, Colorado; Third Congressional District

Location: 35 miles north of Steamboat Springs

Recommendations

A.) Forest Service -

Forest Service (R-2), Routt National Forest Land and Resource Management Plan, November, 1983.

Capable: Yes. (WARS, 20). Managable boundary.

Available: Yes. 1,649 acres of land suitable for timber production. Low mineral potential.

Need: Yes. To meet a projected demand for wilderness recreation opportunities.

8,100 acres are recommended suitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

The rocks that underlay the Davis Peak Study Area have a very high potential to host economic deposits of Au, Ag, Pb, Zn and Cu. These rocks host the mineral deposits in the Peral mining district (10 miles to the east) and the Encampment district (16 miles to the north) (Snyder, 1980). Geologically, this area is similar to areas elsewhere in the world which contain significant mineral resources, i.e. Canada and Australia.

The mineral potential for the Davis Peak Area is rated moderate to high for locatable minerals over 62% of the area (Routt FEIS p II-38). About 35 to 40% of the area is covered by recent stream gravels that overlay the same rocks believed to have moderate to high potential (Snyder, 1980). Therefore, the entire area should be considered to have high potential for locatable minerals.

Production

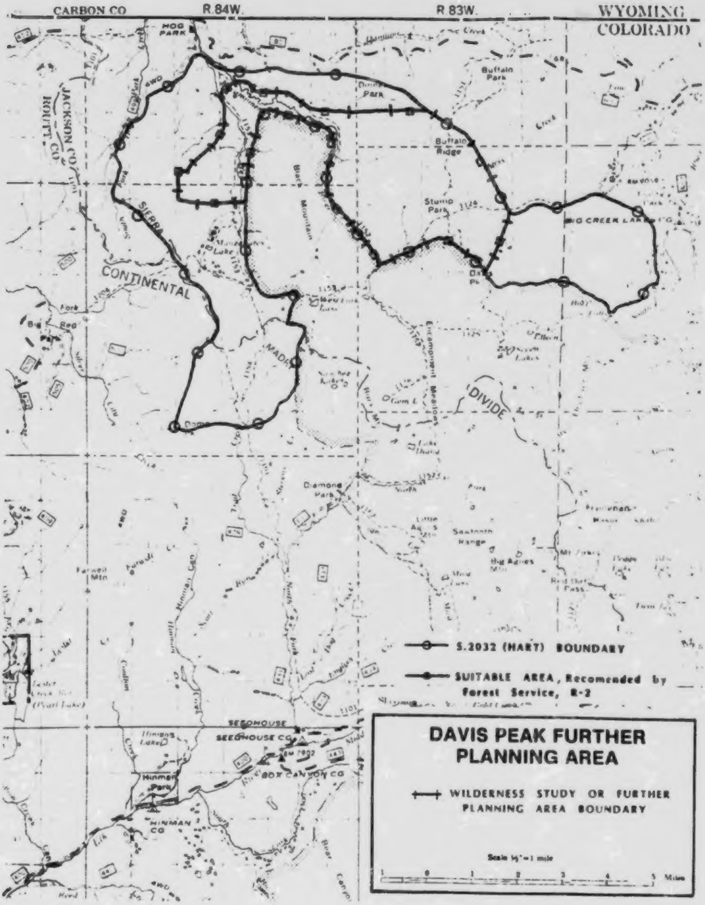
Unknown.

Mining Districts, Mines, and Claims

No established mining districts are in the area. At least one mine is in the study area (west central part Sec. 3, T11N R83W).

Recent Company Activity

None.


CARBON CO
R.84W.
R.83W.
WYOMING
COLORADO
HOG PARK
JACKSON CO
ROUTT CO
SIERRA
CONTINENTAL
MADRE
DIVIDE
Buffalo Park
Buffalo Ridge
Stump Park
Black Mountain
BIG CREEK LAKES
Davis Pk
Encampment Meadows
Diamond Park
Sawtooth Range
Big Agnes Mtn
Farwell Mtn
Hinman Park
SEEDHOUSE
SEEDHOUSE CG
BOX CANYON CG
HINMAN CG
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
DAVIS PEAK FURTHER PLANNING AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles

# 17. **LOST CREEK** - FPA

Size: 23,000 acres

Pike National Forest (RARE II, portion of A2-252, further planning recommendation)

Park County, Colorado; Fifth Congressional District

Location: 10 miles west of Bailey

Recommendations

A.) Forest Service -

Forest Service (R-2), Proposed Pike and San Isabel National Forests L & RM Plan, September, 1982.

Capable: No (WARS, 14). Wilderness characteristics lowered by 19 miles of road, 600 acres of timber have been harvested, electronic site.

Available: No. State of Colorado owns mineral rights on 3,840 acres.

Needed: No.

Total area recommended as unsuitable for inclusion in the N.W.P.S.

B.) MEC - 11,000 acres.

Mineral Potential

Mineral potential is reported as low. Uranium is the most prominent mineral noted in the area. Uranium has been mined in similar deposits west of the FPA. The northern and eastern portions show some indication of iron, lead, manganese and rare-earth elements, but no favorable indications exist for deposits. USGS Survey under way, geologic environment indicates low potential.

Recorded Production

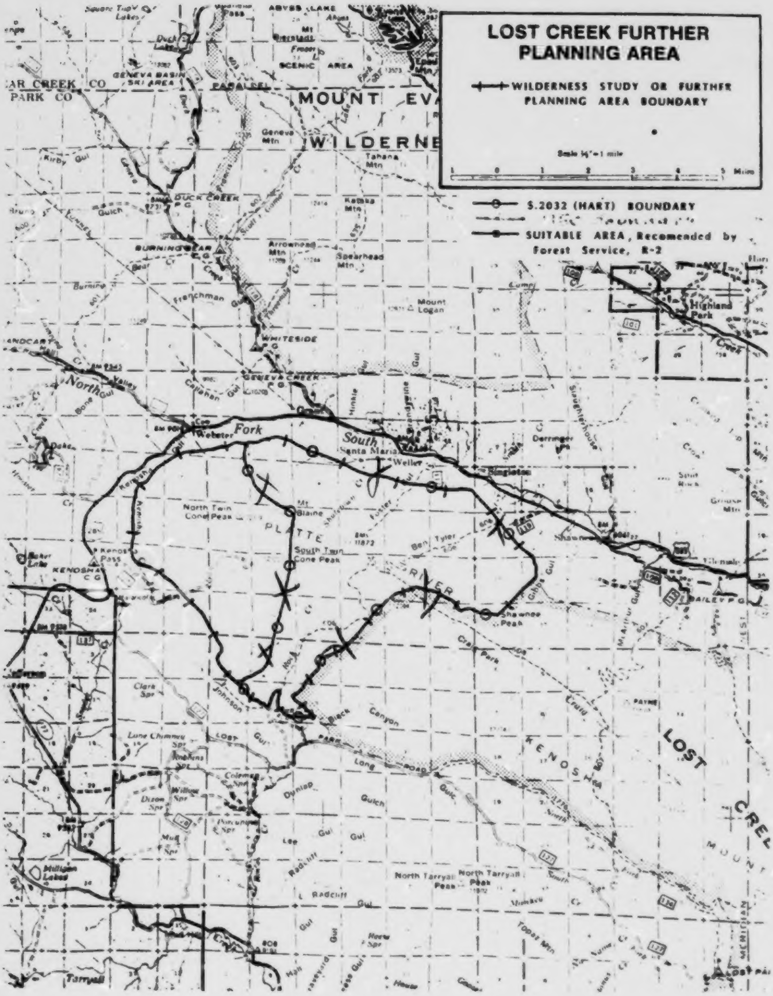
None.

Mining Districts, Mines, and Claims

No districts or mines. Several mining claims.

Recent Company Activity

None known.


LOST CREEK FURTHER PLANNING AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
MOUNT EVA
WILDERNE
CLEAR CREEK CO
PARK CO
GENEVA BASIN SKI AREA
DUCK CREEK P.G.
BURNING BEAR C.G.
WHITESIDE P.G.
GENEVA CREEK C.G.
Geneva Mtn
Tahana Mtn
Kataka Mtn
Arrowhead Mtn
Spearhead Mtn
Mount Logan
Frenchman
North Fork
South
Santa Maria
Webster
Weller
Singleton
Shawnee
Highland Park
North Twin Cone Peak
Mt Blaine
PLATTE
RIVER
South Twin Cone Peak
Ben Tyler
Shawnee Peak
KENOSHA C.G.
Kenosha Pass
Baker Lake
BAILEY P.G.
Black Canyon
Johnson
Clark Spr
Lone Chimney Spr
Coleman Spr
Dixon Spr
Willow Spr
Dunlap
Long
Gulch
Lee Gul
Radcliff
KENOSHA
LOST
CREE
MOUNT
North Tarryall Peak
Milligan Lakes
Tarryall
Topaz Mtn
MERIDIAN

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18. ST. LOUIS PEAKS - FPA

Size: 12,800 acres

Arapaho National Forest (RARE II, E2-361, further planning recommendation)

Grand County, Colorado; Third Congressional District

Location: 13 miles north of Dillon

Recommendations

A.) Forest Service -

Forest Service (R-2), Routt National Forest Land and Resource Management Plan, November, 1983.

Capable: No. (WARS, 19). Problems associated with locating boundaries on-the-ground and the close proximity of non-conforming land uses which are evident from within the further planning area.

Available: Yes. Some resource values are foregone (timber, minerals, water development potential), but not of overriding significance.

Need: Yes. Demand for wilderness experience in general area expected to increase significantly.

Total area is recommended unsuitable for inclusion in the N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

Moderate potential for silver, copper, lead and zinc exists in the study area. Past mineral activities occur in the southeastern and northern portion and the numerous mines on the eastern side of the area are where the silver-lead-zinc occurrences surfaced. Indications of this vein mineralization exist in these areas of the St. Louis Peak FPA.

A probable resource potential exists in the area for molybdenum mineralization based on the type of granite in the area, an extension of the Silver Plume trend that has produced millions of tons of molybdenum from AMAX's Henderson Mine just southeast of St. Louis Peak.

NURE reports elevated values of cobalt in Keyser Creek and numerous evidence exists for uranium and rare-earth elements. Probable mineral resource potential is described for the area in U.S. Geological Survey Professional Paper 1300.

Recorded Production

None.

Mining Districts, Mines, and Claims

La Plata district, along southern part. No mines, few claims.

Recent Company Activity

None.

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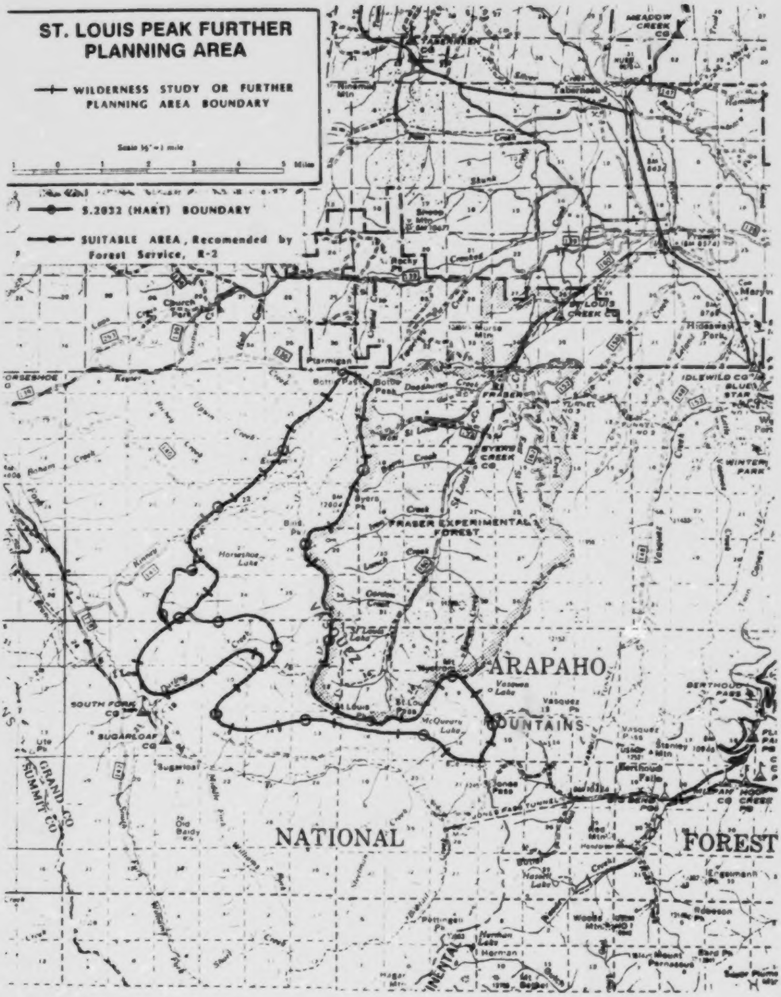

ST. LOUIS PEAK FURTHER PLANNING AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale ½" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
FRASER EXPERIMENTAL FOREST
ARAPAHO
MOUNTAINS
NATIONAL
FOREST
Horseshoe Lake
Byers Pk
Vasquez Pk
Berthoud Pass
SOUTH FORK CG
SUGARLOAF CG
GRAND CO
SUMMIT CO
FRASER
IDLEWILD CG
WINTER PARK
BERTHOUD PASS
ST LOUIS CREEK CG
BYERS CREEK CG
Tabernash
Hideaway Park
Old Baldy
McQueary Lake
Vasquez Lake
Jones Pass
Ptarmigan
Church Park
Morse Mtn
Rocky Pk

19. WILLIAMS FORK - FPA

Size: 53,888 acres

Arapaho National Forest (RARE II, 2-114, further planning recommendation)

Grand & Summit Counties, Colorado; Third Congressional District

Location: 1 mile north of Dillon

Recommendations

A.) Forest Service -

Forest Service (R-2), Routt National Forest Land and Resource Management Plan, November, 1983.

Capable: No. (WARS, 14 with water development, 20 without water development). Unmanageable boundary location and impending Denver Water Board project.

Available: No. High potential for locatable minerals and potential loss of wilderness character caused by the possible development of the Denver Water Board's water diversion project.

Need: Yes. Significant demand due to proximity of Denver metro area.

Total area is recommended unsuitable for inclusion in N.W.P.S.

B.) MEC - opposes wilderness designation.

Mineral Potential

Known mineral occurrences are located in the northeastern portion of the FPA near Jones Pass where silver, lead and zinc have been mined and uranium has been prospected. Workings, scattered throughout this section of the FPA, show veins exposed; lead-zinc-silver resources are possible at any of the mine workings within this FPA. Concentrations of cadmium, cobalt, copper, gold, nickel and manganese were found in some samples, also. Uranium occurs at claim blocks in the areas adjacent to the Williams Fork area. Low concentrations of uranium and molybdenum have been detected within the area, also.

The Henderson Molybdenum Mine is located within a mile of the northeast section of this FPA. Substantiated and probable mineral resource potential is described for the eastern part of the area in U.S. Geological Survey Professional Paper 1300.

Recorded Production

None.

Mining Districts, Mines, and Claims

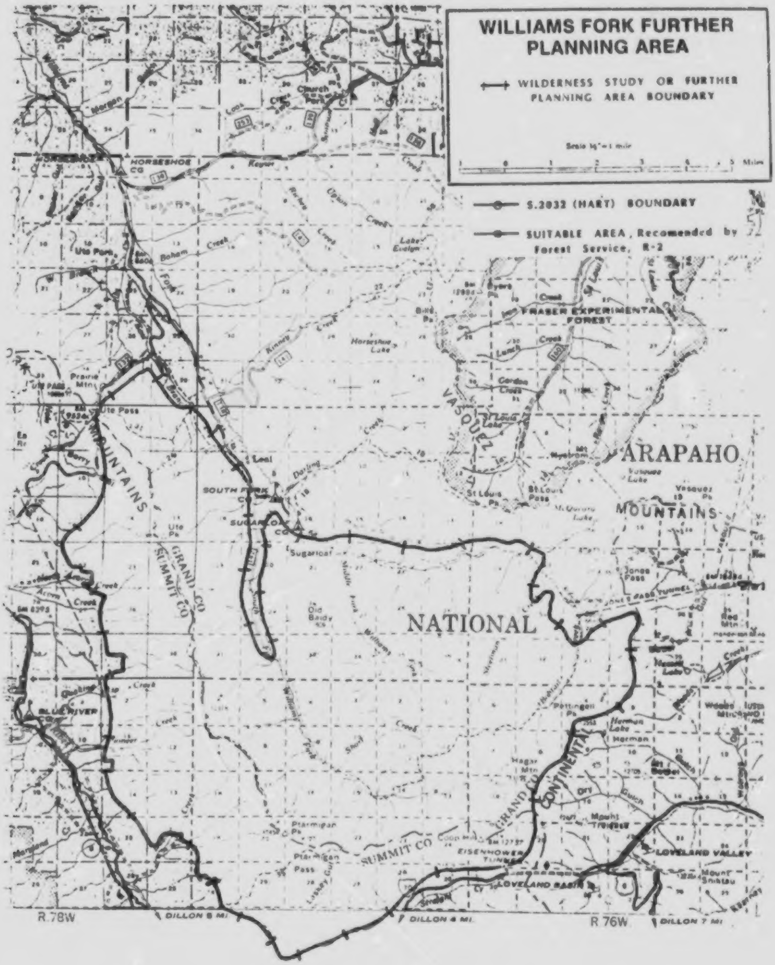
La Plata Mining District; 300 claims.

Jones Pass Mines; 6,074 oz. silver, 1 oz. gold, 6,609 lbs. lead, 658 lbs. zinc.

(Much production not recorded.)

Recent Company Activity

The La Plata Mine was leased in 1982, but work has been limited because of snow conditions.


WILLIAMS FORK FURTHER PLANNING AREA
WILDERNESS STUDY OR FURTHER PLANNING AREA BOUNDARY
Scale 1/2" = 1 mile
1 0 1 2 3 4 5 Miles
S.2032 (HART) BOUNDARY
SUITABLE AREA, Recomended by Forest Service, R-2
FRASER EXPERIMENTAL FOREST
VASQUEZ
ARAPAHO
MOUNTAINS
NATIONAL
GRAND CO
SUMMIT CO
CONTINENTAL
HORSESHOE CG
SOUTH FORK CG
SUGARLOAF CG
BLUE RIVER CG
Ute Pass
Prairie Mtn
Old Baldy
Horseshoe Lake
St Louis Pass
Jones Pass
Ptarmigan Pass
EISENHOWER TUNNEL
LOVELAND BASIN
LOVELAND VALLEY
R.78W
DILLON 8 MI
DILLON 6 MI
R 76W
DILLON 7 MI

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Working Together To
Conserve Wild America

May 19, 1984

Representative John Seiberling, Chairman
Subcommittee on Public Lands & National Parks
House Interior and Insular Affairs Committee
House Office Building
Washington, D. C. 20515

Dear Chairman Seiberling:

Please make this statement a part of the May 10 hearing record on the Colorado Wilderness Bills, H. R. 5470 by Representative Tim Wirth; and H. R. 5426 by Representative Ray Kogovsek.

The American Wilderness Alliance is a Colorado-based national non-profit organization whose members are working to conserve the nation's decreasing federal wildlands, wildlife habitat and wild river resources.

Our Colorado members and I have visited on numerous occasions all of the areas that would be designated as wilderness by H. R. 5470 and H. R. 5426 and are acquainted with their resources and their wilderness qualifications.

We strongly support passage of H. R. 5470 by Representative Wirth. This measure more completely encompasses the superb national forest and Bureau of Land Management wildlands in Colorado that we believe fully deserve to be added to the National Wilderness Preservation System.

However, before passage, we respectfully recommend that the Wirth Bill, H. R. 5470, be further improved by making the following few but important changes:

1. Expand the boundaries on the western, northwestern and northeastern sides of the proposed Piedra Wilderness to include more of the original 114,260 acre Piedra Roadless Area, as inventoried by the U. S. Forest Service during RARE II in 1978-79. The Wirth Bill incorporates only about half of this outstanding area in the Wilderness System.

These undeveloped national forest lands adjoining the proposed Piedra Wilderness are needed to protect critical migration routes of major herds of elk and deer between their summer and winter range, and to safeguard undisturbed watersheds of the Piedra River which has been proposed by the Forest Service, the State of Colorado, past and present Administrations, and Colorado conservation organizations for classification as a National Wild River.

As Dr. John Craighead, noted resource educator and originator of the wild river concept, has said, the quality of a wild river can be no higher than that of the area it drains.

The Piedra is one of extremely few relatively low altitude national forest areas in Colorado to be recommended by the Forest Service and conservation groups for wilderness. Surely, the nation can spare more than half of this remarkable wild area to be preserved for wilderness wildlife and watershed protection.

The expansion on the northwestern side should approach the southern border of the Weminuche Wilderness and adjoin the Weminuche in the vicinities of Runlett Peak and Granite Peak.

2. The proposed 29,350 acre Wheeler Geologic Wilderness Area should be expanded westward to a series of ridgelines east of Whited Creek, thus including more of this exceptional and original 58,910 acre roadless area (Wheeler-Wason) and adding it to La Garita Wilderness to give the latter narrow Wilderness much-needed depth. Wheeler is the home of elk, bighorn sheep and nesting bald eagles.

3. Besides adding Montezuma Peak and V-Rock (32,800 acres) to the South San Juan Wilderness, as proposed in the Wirth Bill, and which we strongly endorse, we believe that other critically important additions should be made to the Wilderness on its northern, northwestern and southern borders to protect major habitats of elk, deer and other wildlife. In total, approximately 90,000 acres of the original 251,000 acre South San Juan Roadless Area should properly be added to the South San Juan Wilderness at this time. This is the last known home in Colorado of the grizzly bear, a species threatened with extinction in the contiguous states.

4. The boundaries of the proposed 63,700 acre Cannibal Plateau Wilderness should be revised to include the rest of the 31,990 acre national forest Cannibal Plateau Roadless Area. We support combining it with the Powderhorn Primitive Area, as the Wirth Bill would do. But the Powderhorn unit is under the jurisdiction of the Bureau of Land Management, and a provision for its management as wilderness by the Bureau of Land Management should be incorporated in the bill. This magnificent area is the largest undeveloped tract of alpine tundra in the lower 48 states. It is the scene of major scientific studies. The greater area harbors elk, ptarmigan, mountain lion and other wilderness-dependent species. The entire area is needed to give foreground protection to and complete the exceptional natural ecosystem.

Kogovsek's Colorado Wilderness Bill, H. R. 5426, as introduced, is totally unacceptable to the American Wilderness Alliance and other Colorado-based conservation groups. It is less than half a loaf. It includes only eight out of the 18 outstanding roadless units that fully deserve wilderness protection at this time. And even those areas which are included are, for the most part, reduced in acreage.

For example, the Kovsek Bill, H. R. 5426, excludes for likely development the following key wildlands that fully warrant wilderness protection: Powderhorn-Cannibal Plateau, Wheeler Geologic Area, Fossil Ridge, Big Blue Wilderness Addition, Buffalo Peaks, Saint Lous Peaks, Vasquez Peak, Lost Creek Wilderness Addition, and Davis Peak. Kogovsek's Bill also unwisely excludes Montezuma Peak which, as we have already indicated, should be added to the South San Juan Wilderness.

Enclosed are copies of fact sheets and map sketches of the excluded areas, as taken from "Colorado's Wilderness Opportunity--Profiles of National Forest Study Areas." This report was prepared by two resource professionals: Dr. John B. Loomis, natural resource economist; and Jeff Rennicke, wilderness specialist. It was published in 1982 by the American Wilderness Alliance. Please include these enclosed excerpts in the hearing record, also.

The Buffalo Peaks area provides rare year-around habitat on undeveloped federal land for one of Colorado's most important herds of bighorn sheep. The area is only a two-hour drive from metropolitan Denver. The bighorn is a sensitive wild creature that is vanishing wherever man and his works encroach on its undisturbed habitat. This species urgently needs wilderness protection in the Buffalo Peaks area.

Fossil Ridge is a major, quality wilderness fishing and hunting, outfitting and guiding area close to the citizens of Gunnison, Colorado. It must be given wilderness status to assure continuation of such recreational use and industry.

Davis Peak would be added to the northern end of the existing Mount Zirkel Wilderness, protecting the natural integrity of more of the undeveloped part of the Continental Divide and the Continental Divide National Scenic Trail which will be routed through the area. This addition is also necessary to protect the highly scenic Encampment River in Colorado which has been recomanded by the Forest Service, past and present Administrations, State of Colorado, and conservation groups for designation as a National Wild River. The area provides habitat for elk, mule deer, mountain lion, cutthroat trout and other wilderness-associated wildlife.

Moreover, we are unalterably opposed to Section 5 in the Kovsek Bill, H. R. 5426, which would delete up to 40 percent of beautiful Trappers Lake from the Flat Tops Wilderness, in order to retain an outfitter's boathouse for private use.

This is special-interest legislation that strikes at the heart of the wilderness concept.

For it was here on pristine Trappers Lake in the early 1920s that Arthur Carhart, in conjunction with Aldo Leopold, produced the wilderness concept. On many occasions, Carhart, a landscape forester, wrote and spoke about his belief that there should be no developments on Trappers Lake and the beautiful wildlands of the Flat Tops beyond.

When the Forest Service reviewed the Flat Tops Primitive Area for wilderness recommendation in the 1960s, our conservation organizations proposed and vigorously supported the Forest Service inclusion of Trappers Lake as a historically valuable part of the Flat Tops Wilderness. At that time, both the conservation groups and the Forest Service agreed that ultimately the boathouse must be removed or allowed to tumble down and disintegrate.

It should be emphasized, also, that during the wilderness review, the Forest Service had required two other outfitters who maintained buildings within the Flat Tops to burn the structures down and move their headquarters outside the proposed Wilderness. Why should the boathouse outfitter be treated differently? He was given notice at the time he acquired the structure on national forest land that the permit would not be renewed.

Besides, the Forest Service has offered the outfitter two alternative sites for use as a "boathouse": 1) a permanent building near the Trappers Lake Campground at the end of the road and only a very short distance from the western shore of the lake but outside the Wilderness, and 2) a seasonal tent site near the outlet of Trappers Lake. Either of these alternatives are reasonable and would protect highly scenic Trappers Lake as a "cradle of the wilderness concept."

Finally, merchantable resources are insignificant or lacking altogether in the 18 areas that the Wirth Bill, H. R. 5470, has proposed for wilderness status. At the same time, the paramount values are the undisturbed watersheds that provide quality, stable flows of water for millions of downstream users. They include pristine habitats required by such wilderness-dependent species as the bighorn sheep, mountain goat, elk, moose, bear, mountain lion, lynx, wolverine, marten, bald eagle, ptarmigan and native cutthroat trout. Also, of importance, the areas support thriving outfitting, guiding and wilderness recreation industries.

Fishing, hunting, outfitting and guiding generate upwards of one billion dollars worth of business each year in Colorado.

As Dr. Loomis' economic analysis clearly showed, the value of a wilderness designation for the areas exceeded the benefits of development by many millions of dollars.

We should not shortchange the public interest now by failing to protect as wilderness all 18 areas in the Wirth Bill, H. R. 5470.

Thank you for your interest and support, with a few improvements we have mentioned, of the Wirth Bill.

Sincerely,

Clifton R. Merritt
Executive Director

enclosures

COLORADO'S WILDERNESS OPPORTUNITY

Profiles of National Forest Study Areas

American Wilderness Alliance

BUFFALO PEAKS

(Wilderness Study Area)

I. Location: The Buffalo Peaks Wilderness Study Area is made up of the former Buffalo Peaks Roadless Area in the San Isabel National Forest and the Buffalo Meadows Roadless Area in the adjoining Pike National Forest. The area lies three miles north of Buena Vista and ten miles southeast of Leadville. The city of Denver is approximately 115 miles to the northeast.

II. Description: The area is dominated by the peaks from which it derives its name, East Buffalo Peak (13,280 feet) and West Buffalo Peak (13,326 feet). From a high point at the summit of West Buffalo Peak, the land drops off to a low point of 9,200 feet in the southwestern corner. This corner is made up primarily of Davis Meadows, one of the many rush and sedge meadows in the Buffalo Peaks area, which explodes with wildflowers each spring, giving the area its characteristic scenery of blooming wildflowers against a backdrop of rolling green hills and rugged peaks. Also found in the southern portion of the area is a natural arch formed by the forces of water erosion.

The area has several small streams which rise from the wet meadows, such as Spring Creek, Pony Creek and Rough and Tumbling Creek. These streams flow easterly into the South Fork of the South Platte River. Buffalo Creek is one of the creeks which flow westerly and drain into the Arkansas River.

III. Boundaries: The wilderness study area boundaries comprise the U.S. Forest Service former recommendation for wilderness. These boundaries are roughly set by Weston Pass to the north, Marmot Peak and Davis Meadows to the south, the South Fork of the South Platte to the east and the Arkansas River to the west. The area encompassed by these boundaries is approximately 56,900 acres.

IV. Natural Condition: Buffalo Peaks scored a 19 out of a possible 28 points on the Forest Service's Wilderness Attribute Rating System, receiving its highest score in the category of Naturalness. The high score in this category was due to the lack of developments in the area. The only noticeable development is the constructed road between Low Pass Gulch and Hayden Gulch. While the immediate effect of the development is noticeable, only a small area is affected and through reseeding and non-use, the area could be rehabilitated to its natural state in a relatively short time.

There is a small amount of fence on Pony Creek and on Rough and Tumbling Creek, but this is easily removed and is not noticeable to most visitors.

The area as a whole received a rating of 1 out of 15 on the Forest Service's Development Opportunity Scale. This rating demonstrates that the area lacks operable commodity resources.

The value of the area as wilderness is high, due to a population of bighorn sheep which uses the Buffalo Peaks area for both summer and winter range. The area is believed to be the only tract of land in Colorado where a herd of bighorn sheep uses publicly owned land for year-around habitat. The Buffalo Peaks herd was once the largest herd in Colorado, numbering about 200 animals. The herd has dwindled to between 35 and 40 animals. Much study is underway to determine the cause of the population decline, and to develop means to rebuild the herd.

It long has been documented by such wildlife authorities as Dr. Aldo Leopold that the bighorn is a wilderness-associated species which is intolerant of the intrusions of man and his works. The survival of the herd depends strongly on the present type of unspoiled, undisturbed habitat that would be insured by a wilderness designation. The Colorado Division of Wildlife currently supports a wilderness designation for the Buffalo Peaks area as a necessary step in the protection and management of the herd of bighorn sheep.

Besides being vital habitat for bighorn sheep, the area rates highly in its scenic value. The rugged peaks of East and West Buffalo reward the climbers with a scenic panorama of unspoiled land and distant peaks. Down in the meadows, the explosion of wildflowers and the rolling hills are highly valued by hikers, photographers and botanists.

The natural arch at the southern tip of the area is another scenic and geologically interesting feature which adds value to the Buffalo Peaks area.

V. Water: There are a few small streams which drain the wet meadow areas. Spring Creek, Pony Creek and Rough and Tumbling Creek drain easterly into the South Fork of the South Platte. Buffalo Creek drains westerly into the Arkansas. There have been no withdrawals of lands for

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water projects and no impoundments in the area. The precipitation levels of the area vary between 23 inches on the higher slopes to 15 inches on the southwestern side.

VI. Fish: Fish populations in the streams consist mostly of brook trout. The Forest Service has identified potential or existing habitat for three wilderness-associated species in the streams. These species require high water quality and an undisturbed aquatic environment to survive. They cannot withstand the type of pressure which arises from roadside fishing. A wilderness designation would best insure that these species, which include the cutthroat trout, retain the continued pristine environment their survival depends on.

VII. Wildlife: The Forest Service lists habitat for 17 wilderness species in the Buffalo Peaks area, including the nationally endangered bald eagle. Species which are listed as endangered in Colorado include the wolverine and the lynx. Other wilderness-associated species include the elk. The area is important summer range for elk and deer, with the elk being most abundant near Weston Pass and the deer scattered throughout the tract. The area is also highly productive habitat for ptarmigan and blue grouse, both prized by hunters.

As mentioned before, the area also provides very important habitat for bighorn sheep. Protection of the area in its pristine nature would greatly increase the chances of survival for this magnificent animal.

VIII. Recreation: Within about a two-hour drive from Denver, the tract receives considerable wilderness recreational use. Presently, there are 20,000 visitor-days a year of non-motorized recreation in the area. There is no motorized recreation in the unit. Fishing in the streams accounts for 9,000 visitor-days a year. Hunting use accounts for 12,000 visitor-days, while non-hunting supplies a total of 21,000 visitor-days.

On the Forest Service WARS rating, the area scored a 5 out of 7 points in the category of Opportunity for Primitive Types of Recreation. This score was due in part to the dense vegetative screening up to timberline and the diverse types of terrain and recreational challenges the area offers.

The area's fragile meadows and beauty are best suited for the non-motorized types of recreation which currently abound. Motorized recreation use would place undue stress on the sensitive bighorn population and impair the fragile meadows and high country.

IX. Soils: The soils of the area range from sedimentary gypsum, siltstone and shale in the east, to igneous granite to the west, with volcanic lava flows around the Buffalo Peaks. The steep slopes in the areas around the peaks increase the erosive tendencies of these soils.

X. Timber: Stands of Engelmann spruce are found on the northern slopes. On the lower, southern slopes the Douglas fir is common. Scattered other species include the lodgepole pine and aspen.

According to the Forest Service, there are no commercial stands of hardwood sawtimber and only small amounts of softwoods. The Service has scheduled no sales of timber or products in the immediate future and has no sales in its five-year action plan.

There was a small timber cut in the Lynch Creek area in the 1950's, but the area is small and does not mar the overall high wilderness character of the unit.

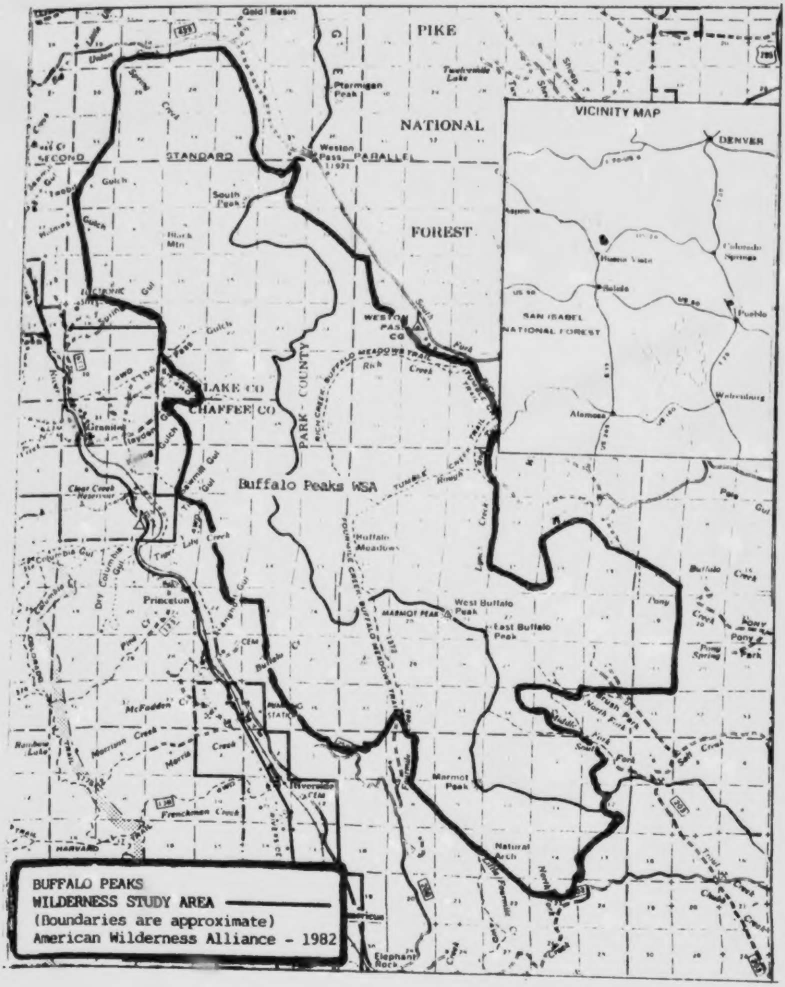
XI. Grazing: A small amount of grazing by livestock exists in the area, consisting of 885 unit months a year. Effects on the vegetation from livestock grazing are minimal and not apparent to most visitors. Under the 1964 Wilderness Act, where grazing previously existed, it shall continue with wilderness status.

XII. Minerals: There is moderate potential for hardrock minerals and a moderate to high potential for uranium. There is a very low to no potential for other energy and mineral resources. There have been no significant exploration projects in the area from 1970 to the present and no production sites exist.

XIII. Extent of Public Support or Opposition: The American Wilderness Alliance and all other Colorado conservation groups, including the Colorado Open Space Council, lead the support for wilderness designation. These groups are joined by the Colorado Division of Wildlife. The Forest Service originally recommended the area for wilderness and that recommendation was supported by the Carter Administration.

XIV. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $4,273,824 and $3,527,565, respectively, over a fifty-year planning period. These $7,801,480 of benefits compare to a cost of only $1,311,692. The details of the estimation of these benefits and costs are presented in the appendix of this report.

XV. Recommendation: The American Wilderness Alliance recommends wilderness designation for the entire area designated as the Buffalo Peaks Wilderness Study Area. It is in full support of the boundaries established by the Forest Service in its original wilderness recommendation which encompasses 56,900 acres. Due to the area's value as bighorn sheep habitat, its high value as a scenic and wilderness recreational area and its low potential for development, a wilderness designation would seem the best form of management to preserve its significant wildland values.


BUFFALO PEAKS
WILDERNESS STUDY AREA
(Boundaries are approximate)
American Wilderness Alliance - 1982
PIKE
NATIONAL
FOREST
VICINITY MAP
DENVER
Colorado Springs
Pueblo
Walsenburg
Alamosa
Salida
Buena Vista
Aspen
SAN ISABEL NATIONAL FOREST
Buffalo Peaks WSA
PARK COUNTY
LAKE CO
CHAFFEE CO
SECOND STANDARD PARALLEL
Weston Pass
Weston Pass CG
Ptarmigan Peak
South Peak
Black Mtn
Buffalo Meadows
West Buffalo Peak
East Buffalo Peak
Marmot Peak
Natural Arch
Princeton
Granite
Elephant Rock
Riverside
Rich Creek
Tumble Creek
Rough Creek
Buffalo Creek
Pony Park
Pony Spring
Brush Park
North Fork
Middle Fork
South Fork
Salt Creek
McFadden Cr
Morrison Creek
Frenchman Creek
Rainbow Lake
HARVARD
Clear Creek Reservoir
Gold Basin
Union
Gulch
Holmes Gulch
Dry Columbia Gul
Columbia Gul
Tiger Lily Creek
Pony
Pole Gul
Buffalo Creek
Trout Creek
Weston Pass
Twin Lakes
Sawmill Gul

FOSSIL RIDGE

(Wilderness Study Area)

I. Location: The Fossil Ridge Wilderness Study Area is located 15 miles northeast of Gunnison, Colorado, and is part of the Gunnison National Forest.

II. Description: Large stretches of virtually untouched wilderness with rugged sedimentary peaks and canyons, high alpine lakes and the unique formation of Fossil Ridge itself, imbue this area with a high wilderness quality. Large, grassy parks interspersed among dense stands of timber, along with 9,000 to 13,000 foot elevations, give rise to a wide range of ecosystems. These diverse ecosystems provide habitat for a rich variety of wildlife species. The area is important to deer and elk herds, providing much-needed fawning and calving grounds. In hunting season, the deer and elk also provide an important source of income for local guides and outfitters. Bighorn sheep are found in the central portion of the area, where there are several peaks over 12,000 feet, including Fossil Mountain, Sheep Mountain, and Squaretop Mountain--and one peak over 13,000 feet, Henry Mountain.

III. Boundaries: Encompassing 74,700 acres, the boundaries of the Fossil Ridge Wilderness Study Area roughly follow those of Fossil Ridge Roadless Area #204, with exclusions made for existing four-wheel drive trails, potential timber reserves and mining claims.

IV. Natural Condition: Protected by Fossil Ridge to the south and Taylor Canyon to the north, the Fossil Ridge Wilderness Study Area has remained a sizeable pocket of wilderness. It is an area that has been used primarily by hunters and outfitters, with a small but rising number of hikers. Because it has remained in a pristine state, it is one of the most important big-game areas in southern Colorado, producing 506 mule deer and 836 elk for hunters in 1977. Bighorn sheep are known to inhabit the area, and a small herd of mountain goats has established a summer range in a more remote section.

The diversity in ecosystems attracts varied recreational use, including backpacking, horseback riding and fishing, in addition to big-game hunting.

The deep canyons and ridges provide outstanding opportunities for solitude and primitive recreation. The area is highly scenic, as well as being of geologic value.

Fossil Ridge itself, in the southern section of the study area, is a geologically significant formation of limestone. The formation, along with the rich diversity in ecosystems, makes the undisturbed area a valuable scientific and educational resource. These factors all combined to give the area a score of 22 out of 28 points in the Wilderness Attribute Rating System of the Forest Service.

Developments in the area have been minimal. There are a few nonconstructed jeep trails and old cabins in various states of decay. None of these minor evidences of man and his works poses a problem with wilderness designation.

V. Water: Within the boundaries of the study area are several major alpine lakes, such as Henry Lake, Boulder Lake and Crystal Lake.

Many streams are found in the area, including Crystal Creek, East Beaver Creek and South Lottis Creek. The water quality in the lakes and streams is generally very high. The instability of the soils in the area presents a danger to this quality if roads or other developments disturb the land. Previous exclusion of nearly all domestic livestock grazing in the fragile crest zone of the area is an indication of concern for the value of watershed protection. More of this type of management is necessary to insure continued high water quality. The area is an important part of the Taylor River watershed, which, in turn, forms a part of the upper Gunnison River drainage.

VI. Fish: Rainbow trout and brook trout are the most common species of fish found in the lakes and streams. Also present is the cutthroat trout, a species which is threatened in Colorado. The presence of the cutthroat, which has been identified by the Forest Service as a wilderness-associated species, is further testimony to the existence of an undisturbed aquatic environment and high water quality. Protection of this undeveloped resource is vital to the survival of the species.

Several of the closer, "walk in" lakes receive heavy fishing pressure. Some management of these areas may be necessary to prevent undue damage.

VII. Wildlife; A total of 18 wilderness-associated species find potential or existing habitat in the study area, including the nationally endangered bald eagle and the Colorado-endangered wolverine and lynx. As mentioned above, the area is important and productive habitat for elk and deer. The deer herd is nearly at maximum winter carrying capacity, and the elk herd is healthy and on the increase.

Mountain goats have been sighted on Fossil Ridge, and a small herd has established a wintering ground in a more remote section. The area provides irreplaceable winter and calving grounds for elk, as well as vital habitat for deer. Their populations are limited to a great extent by lack of suitable wintering grounds. In recent years harassment, particularly of elk, by snowmobiles has resulted in winter loss and change in wintering habits. A wilderness designation would allow for better management of these herds and better protection for their vital habitats.

VIII. Recreation: Use by hunters and commercial guides and outfitters has accounted, and continues to account, for a major portion of the recreational use in the study area. During the 1977 hunting season, nearly 6,000 licensees hunted deer and elk in the tract. This hunting is a prime source of income for local business and would be enhanced and allowed to continue under a wilderness designation. As previously noted, wilderness-type trout fishing is very popular in the area.

IX. Soils: The soils of the area are derived primarily from felsitic and granitic rocks. There is a great diversity of soil types in the area; some 30% to 40% of these are highly erosive and susceptible to disruption from development or mismanagement. Soil and vegetation disruption and erosion is a real hazard, should development of the area occur.

X. Timber: Stringers of Engelmann spruce and lodgepole pine in the area are intermixed with scattered stands of aspen, Ponderosa pine and Douglas fir. The Engelmann spruce and lodgepole pine are primarily on steep slopes and inaccessible. The Forest Service plans no timber sales in the area in the foreseeable future. The necessity of maintaining a high-quality watershed is another deterrent to timber cutting.

XI. Grazing: Grazing of cattle has been heavy in the past and continues today, with the exception of several range closures to allow for revegetation. Domestic sheep grazing has been considerably lighter.

Grazing has been halted in several areas, including the crest zone and in the South Lottis grazing allotment. These closures have resulted from both a better understanding of the frailness of high elevation ecosystems and from the need to allow natural reseeding. Grazing will be allowed to continue under a wilderness designation, with proper consideration for the fragile nature of much of the tract.

XII. Minerals: Although generally unmineralized, the area has been the site of localized activity in the past. Several small, old mines have been left to disrepair and pose a threat to safety with their collapsing walls and caved-in tunnels.

Because of the lack of operable minerals, there are no future plans for mining in the area.

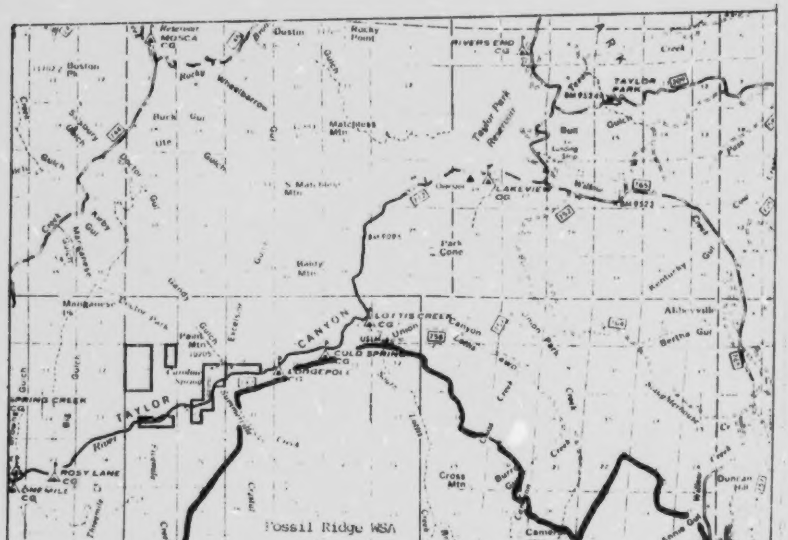
XIII. Extent of Public Support or Opposition: The Fossil Ridge area enjoys extensive public support. All major Colorado conservation groups and several national organizations consider this to be a prime wilderness area. Major support comes from Gunnison, Pueblo and metropolitan Denver. Strong public support for the area was shown at the 1972 Forest Service public meetings, where the public favored a wilderness designation nearly 2 to 1. Some 90% of the written responses to the RARE II study likewise supported wilderness designation for the area.

Major wilderness support for Fossil Ridge also comes from sportsmen organizations, such as the 15,000 member United Sportsman Council of Colorado, and from the guide and outfitting organizations.

The low resource-conflict rating of the area seems to indicate little opposition should be expected from oil and gas, mineral or timber concerns.

XIV. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $4,115,456 and $3,588,424, respectively, over a fifty-year planning period. These $7,703,980 of benefits compare to a cost of only $1,587,534. The details of the estimation of these benefits and costs are presented in the appendix of this report.

XV. Recommendation: Originally a 96,000 acre roadless area known as Crystal Creek, the 54,700 acre Fossil Ridge Wilderness Study Area is the heart of a truly magnificent potential wilderness. Whittled down by border adjustments to accommodate oil and gas interests, motorized recreationists and prime grazing allotments, the existing Fossil Ridge Study Area represents the minimum acreage which would adequately protect the scenic, geologic, wildlife, wilderness and recreational values present. The area offers the only possibilities of designating a wilderness area within a few miles drive of the city of Gunnison. The necessity of adequate acreage to provide for wildlife wintering range, recreational opportunity, watershed protection and manageability calls for the inclusion of the entire 54,700 acre Fossil Ridge Wilderness Study Area in the National Wilderness Preservation System. The American Wilderness Alliance recommends full wilderness status and protection for the superb area.


Fossil Ridge WSA
TAYLOR
CANYON
River
THIRD STANDARD PARALLEL SOUTH
FOSSIL RIDGE
Taylor Park Reservoir
TAYLOR PARK
LAKEVIEW CG
RIVERS END CG
LOTTIS CREEK CG
COLD SPRING CG
LODGEPOLE
ROSY LANE CG
ONE MILE CG
GOLD CREEK CG
COMANCHE CG
Cross Mtn
Henry Mtn
Square Top Mtn
Fossil Mtn
Broncho Mtn
Gunsight Pass
Park Cone
Matchless Mtn
S Matchless Mtn
Fairview Pk
Fairview Lake
Annie L
Henry Lake
Lamphier Lake
Crystal Lake
Boulder Lake
Jackson Lake
Cumberland Pass
Green Mtn
Alleghany Gul
Union Park
Doctor Gul
Dustin
Rocky Point
Boston Pk
VICINITY MAP
COLORADO
DENVER
GUNNISON NATIONAL FOREST
DELTA
Pueblo

FOSSIL RIDGE
WILDERNESS STUDY AREA ———
(Boundaries are approximate)
American Wilderness Alliance - 1982

PIEDRA

(Wilderness Study Area)

I. Location: The Piedra Wilderness Study Area (WSA) consists of U.S. Forest Service RARE II area A2292 and is located in the San Juan National Forest of southwestern Colorado within a short driving distance of both Pagosa Springs and Durango.

II. Description: Ranging in elevation from 6,800 feet on the perimeter to 10,474 feet at the summit of Bear Mountain, the undeveloped area is a fine example of a low-elevation mountain ecosystem. A generally rolling terrain is dissected by steep stream valleys lush with riparian vegetation. One of these valleys contains the Piedra River, an outstanding trout fishery, which has been proposed by the Forest Service and conservation groups for inclusion in the National Wild and Scenic Rivers System. The Piedra River is the main drainage for the area. The river contains ten species of fish, including the cutthroat trout, which is dependent on an undisturbed aquatic environment for survival. The high quality of the Piedra River is testimony to the naturalness and outstanding wilderness quality of the surrounding Piedra Wilderness Study Area.

The quality of the area is further shown by the potential or existing habitat for 19 wilderness-associated species of wildlife, including the nationally endangered peregrine falcon.

III. Boundaries: The WSA includes the roadless area, A2292, which encompasses 41,500 acres.

IV. Natural Condition: High vegetative and topographic screening values in the area allow for a great degree of solitude and opportunity for primitive, unconfined recreation. These values helped the area score a 22 out of a possible 28 points in the Forest Service Wilderness Attribute Rating System (WARS). A high supplemental value, based on several sites of prehistoric interest, natural scenery and the Piedra River, makes this area one of high wilderness quality.

The Piedra River is testimony to this quality. As river authorities have said, a river is no better than the area it drains--and the Piedra River is a high quality river. The fact that it flows through the study area adds to the scenic, watershed, fisheries, wildlife and recreational values of the undeveloped tract.

This type of low mountain ecosystem is one which has been too often ignored in designating wilderness areas. Its lack of high peaks does not lessen its wilderness qualities. In fact, the greater amount of lands below the barren timberline provides wildlife with more diversified habitat. It is an example of an ecosystem which is quickly disappearing in the West as development spreads.

The lack of operable resources in the area, however, has prompted the Forest Service to give it an extremely low Development Potential Rating (1 out of a possible 15, with 15 being most cost efficient). This lack of merchantable potential has helped keep the area nearly free of developments. Currently, no special uses exist in the tract which would hinder wilderness management.

Past nonconforming uses consist, for the most part, of jeep ways which could be separated with minor boundary adjustments and scattered stock ponds for grazing purposes. A 20-acre patented mining claim, which has seen no active production, is located within the study area.

The values of watershed protection, undisturbed wildlife habitat and undeveloped recreation are dominant in the area.

V. Water: The high quality of the watershed was officially recognized when the Piedra River was proposed for inclusion in the National Wild and Scenic Rivers System. The high quality of this water is important for the fish, plant and animal life of the area.

The Piedra has an annual discharge of over 200,000 acre-feet of water. The water has also been used for irrigation of small hay pastures.

VI. Fish: The high water quality of the many streams in the area and the undisturbed, free-flowing Piedra River, provide excellent habitat for an abundant fish population. The Piedra alone furnishes habitat for ten species of fish, including the cutthroat trout--a wilderness-associated species dependent on clean water. Rainbow trout and brown trout also are found in the Piedra. Late fall brings the kokanee salmon migrating upstream from the Navajo Reservoir.

VII. Wildlife: There is potential or existing habitat for 19 wilderness-associated species in the forests and open meadows of the Piedra. These species are dependent on the kind of unspoiled, untrameled lands found in areas like the Piedra WSA. Elk, deer, black bear and turkey occur in the area, as does Abert's squirrel, an unusual species of squirrel which relies entirely on the Ponderosa pine for its food source.

The existence of habitat for these unusual and wilderness-associated species adds another dimension to the value of the Piedra as wilderness.

VIII. Recreation: In the roadless tract, nonmotorized recreation exceeds motorized use five to one. The major use is hunting, which accounts for 42,000 visitor-days/year. Elk hunting is the main big-game animal hunted, while birding in the area includes the ptarmigan.

Hiking is popular in the Piedra on the many miles of trails, and spring run-off on the river provides for excellent rafting. This combination of a proposed wilderness which contains a proposed wild river, is the type of high-quality wilderness which attracts tourists to Colorado each year and helps support the billion-dollar recreational industry.

IX. Soils: The soils of the Piedra are varied. Several areas are very unstable, due to a combination of soil types, vegetation and elevation. Many of the zones of stable soils are surrounded by less stable soil conditions.

X. Timber: Although most of the area is forested, the majority of the timber is softwood, consisting of lodgepole and Ponderosa pine. Lodgepole pine is a low-quality lumber species that is readily available in already accessed areas of less importance for wildlife and watershed protection.

XI. Forage: The rolling terrain and lush vegetation make productive grazing lands. Approximately 70% of the area is currently used for livestock grazing, an activity which will be allowed to continue under a wilderness designation, according to the Wilderness Act of 1964. Past experience has proven that proper grazing, where it previously existed, is compatible with a wilderness designation.

XII. Minerals: No signficant mineral exploration has occurred in the area since 1970, and there are no productive sites. The tract has only a moderate potential for uranium and a low potential rating for all other mineral and energy resources.

XIII. Extent of Public Support or Opposition: The existence of a high-quality river proposed for wild and scenic designation within an area of such outstanding wilderness value makes the Piedra Wilderness Study Area a high priority to supporters of wilderness, scenic rivers and quality recreation. This includes Colorado conservation groups, river associations and recreational groups.

The lack of substantial operable resources in the area should indicate no major industry opposition to designation.

XIV. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $3,028,530 and $2,724,640, respectively, over a fifty-year planning period. These $5,753,170 of benefits compare to a cost of only $956,681. The details of the estimation of these benefits and costs are presented in the appendix of this report.

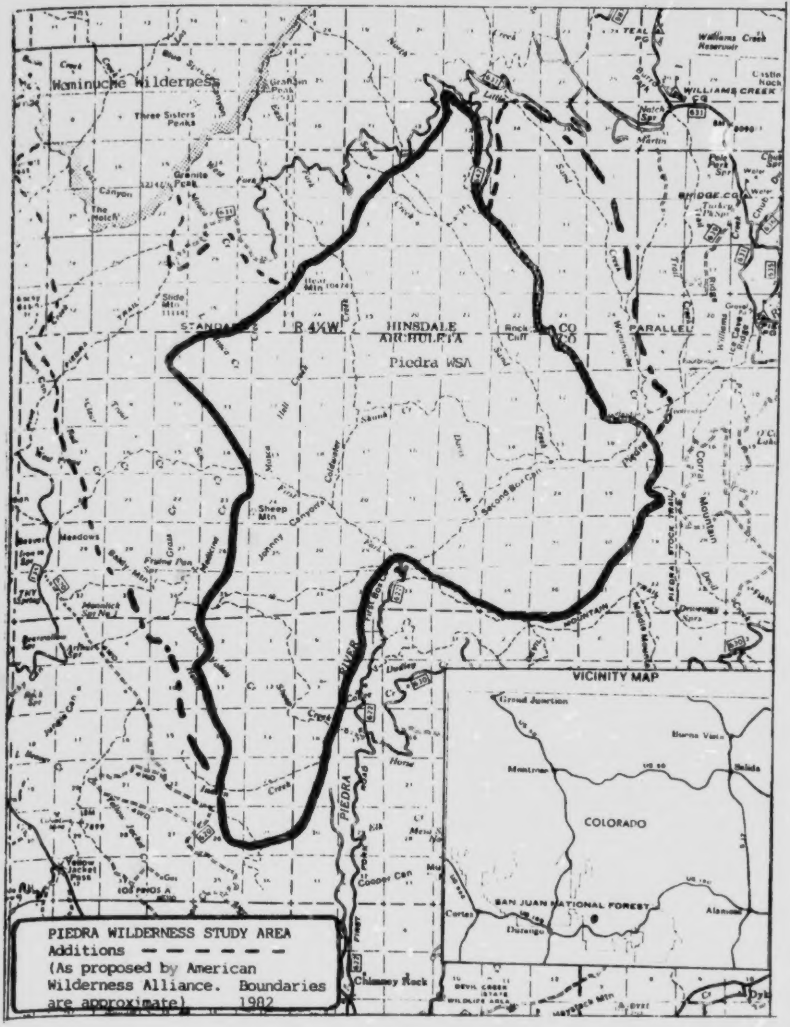
XV. Recommendation: The American Wilderness Alliance feels that the 41,500 acre Piedra Wilderness Study Area should be enlarged to better encompass the roadless lands predominantly of wilderness value. Boundary adjustments, as follows, would greatly increase the value of the Piedra:

1) Extend the northeastern boundary to Weminuche Creek. This will include valuable wilderness lands and at the same time allow an adequate buffer zone for the roads and stock driveway.

2) Extend the southwestern boundaries to Baldy Mountain. The border would extend south following Heflin Creek and north along Red Creek.

3) Extend the western boundary to Red Creek.

These boundary adjustments add approximately 20,000 acres, bringing the total acreage to 61,500 acres. These lands represent an example of an undeveloped ecosystem not well represented in the National Wilderness Preservation System. Its pristine nature and lack of significant conflicts make the Piedra a prime candidate for a wilderness designation.


Weminuche Wilderness
Three Sisters Peaks
Granite Peak
The Notch
Slide Mtn
Bear Mtn
STANDARD
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HINSDALE
ARCHULETA
Piedra WSA
Rock Cliff
PARALLEL
Williams Creek Reservoir
WILLIAMS CREEK
TEAL
BRIDGE CG
Sheep Mtn
Johnny Canyon
Second Box Canyon
Meadows
Baldy Mtn
Coldwater
Davis Creek
Sand Creek
Hell Creek
PIEDRA STOCK TRAIL
Corral Mountain
Devil Mtn
PIEDRA ROAD
PIEDRA RIVER
Cooper Can
Chimney Rock
DEVIL CREEK STATE WILDLIFE AREA
Haystack Mtn
Yellow Jacket Pass
VICINITY MAP
Grand Junction
Buena Vista
Salida
Montrose
COLORADO
SAN JUAN NATIONAL FOREST
Cortez
Durango
Alamosa
US 50
US 160

PIEDRA WILDERNESS STUDY AREA
Additions - - - - - - -
(As proposed by American
Wilderness Alliance. Boundaries
are approximate) 1982

V-ROCK AND MONTEZUMA PEAK

(Wilderness Study Areas)

I. Location: Two areas, contiguous to the established South San Juan Wilderness in southern Colorado, make up the South San Juan Wilderness Study Areas (WSAs) designated by the 1980 Colorado Wilderness Act. Both WSAs are located within the San Juan National Forest.

V-Rock, contiguous to the southwestern border of the South San Juan Wilderness, encompasses 20,043 acres, while Montezuma Peak, contiguous to the northwestern border, is 12,557 acres in size. Both areas are approximately 20 miles east of Pagosa Springs.

II. Description: As their names imply, prominent geologic features dominate the landscapes of these areas. V-Rock is a large rock formation in the southwestern corner of the WSA. From this vantage point, one can look out over stands of spruce-fir forest with scattered aspen groves and open, grassy parks, to where the Chalk Mountains rise toward the eastern boundary. Chalk Peak is the highest point of these mountains at 12,031 feet.

To the northeast, across the South San Juan Wilderness, Montezuma Peak outreaches even Chalk Peak by rising to a height of 13,150 feet. Nearby, Long Trek Mountain rises to a height of 12,866 feet. These peaks tower over a spruce-fir forest dissected by creeks and deep, beautiful Crater Lake.

III. Natural Condition: Both areas scored well on the Forest Service Wilderness Attribute Rating System (WARS). V-Rock, scoring high in the Natural Integrity category, totaled 17 out of a possible 28 points. Montezuma Peak, scoring well in both the Natural Integrity and the Apparent Naturalness categories, was given a score of 20 out of a possible 28 points.

The dominant peaks and open parks make these areas valuable scenic resources. The undisturbed nature of the areas is attested to by the presence of potential or existing habitat for 20 wilderness-associated species of wildlife, as identified by the U.S. Forest Service. The most dramatic of these species is the grizzly. In 1979, a grizzly was killed near Montezuma Peak. The grizzly was thought to have been extinct in Colorado since the mid-1900's. Though no officially verified sightings have been recorded since the 1979 killing, the Forest Service states that there is a "strong possibility that the bears may still inhabit the area." The Forest Service also considers V-Rock to be "highly possible" grizzly habitat. The existence of these and other wilderness species, such as elk, point out both the undisturbed nature of the area and the importance of protecting this wild habitat from outside exploitation.

IV. Water: Each of these areas has one major lake within its borders. Montezuma Peak is the home of Crater Lake, a deep, pristine lake located just west of the Continental Divide. Crater Lake is drained by Crater Creek. Other creeks in the Montezuma WSA include Lost Creek, Bear Creek and Quartz Creek.

Opal Lake is the blue gem of the V-Rock watershed. It is drained by White Creek which flows into the Rio Blanco River. The southern end of V-Rock is the watershed of the Little Navajo River.

V. Fish: Fishing is fair in the lakes and streams of both areas, with V-Rock being a "moderate" cold water fishery. Potential or existing habitat for three wilderness-associated species of fish have been identified in the waters of the WSAs, including the cutthroat trout. Dependent on an undisturbed watershed, the cutthroat is an indicator of natural, high quality watersheds. Heavy fishing pressure or any disturbance in the aquatic environment, due to development or erosion, would prove detrimental to the cutthroat trout population.

VI. Wildlife: Besides being a highly probably home of the grizzly, both areas provide elk calving grounds. V-Rock is a highly used area for elk, and both areas provide elk and deer rearing habitat. The value of these areas for the production of elk and deer is seen in the healthy populations of both areas, and in the successful hunting seasons which add much to the local economy.

This highly valued wildlife habitat has caused the Colorado Division of Wildlife to recommend wilderness protection for both Montezuma Peak and V-Rock, along with additional lands contiguous to the South San Juan Wilderness.

Birdlife is also abundant in both areas, which also contain habitat for bald and golden eagles, goshawks, peregrine falcons and spotted owls.

VII. Recreation: The healthy and abundant wildlife population is one of the features which attracts recreationists. Big-game hunters, many of whom are introduced to the area by local guides and outfitters, account for approximately 4,000 visitor days per year in the two WSAs.

Other recreation opportunities include hiking, horseback trips, ski touring, fishing, climbing and sightseeing.

VIII. Soils: Located within the San Juan Volcanic Field, the soils of the area are for the most part of volcanic origin. Erosion hazard is highest around the steep slopes and in the wet, grassy parklands.

IX. Timber: The productive timber of the study areas is made up predominantly of pine with scattered stands of aspen and Douglas fir. The Forest Service has planned a harvest of only .8 million board feet in its five-year plan and estimates the total potential annual yield at under 4 million board feet. This is a very small volume. The most productive use of the existing timber is in protecting the high quality watershed and in providing wildlife habitat, especially for those species which need buffering from man and his works.

X. Grazing: A total of 1,537 animal unit months of grazing currently takes place in these areas, with 263 of this total representing the grazing of sheep and 1,274 involving cattle grazing. This grazing will be allowed to continue under a wilderness designation, as provided in the Wilderness Act of 1964.

XI. Minerals: As of August 15, 1981, there were no known reserves or producing sites on either area for hardrock minerals and no land had been withdrawn. Some 36% of the landmass of Montezuma Peak was rated as having a moderate to high potential for locatable minerals. V-Rock was considered to be of low potential.

Oil and gas interests have two existing leases in the Montezuma Peak area and six in V-Rock. Montezuma has 165 unpatented claims and 30 which are patented, while V-Rock has no claims, patented or unpatented, within its borders.

XII. Extent of Public Support or Opposition: Strong statewide support for a wilderness designation for these areas is led by the American Wilderness Alliance and the Colorado Wilderness Network. The areas, and other adjacent lands, have been recommended for wilderness by the Colorado Division of Wildlife and sportsmen's groups.

Locally, support centers around commercial guides and outfitters, along with ranchers and many citizens.

Opposition can be expected from oil and gas interests, particularly on Montezuma Peak. Little opposition can be expected from the timber interests.

XIII. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $2,535[illegible]75 and $2,154,589, respectively, over a fifty-year planning period. These $4,690,164 of benefits compare to a cost of only $756,124. The details of the estimation of these benefits and costs are presented in the appendix of this report.

XIV. Recommendation: Due to the important wilderness wildlife, watershed and recreational resources of these areas, the American Wilderness Alliance recommends that the 20,043 acre V-Rock Wilderness Study Area be added to the National Wilderness Preservation System. The Alliance further recommends that the Montezuma Wilderness Study Area be given wilderness protection with the following boundary adjustment:

1) Extend the eastern boundary to include the eastern slope of the Continental Divide and more closely approximate the roadless area boundary. This would add approximately 2,000 acres to the study area bringing the total recommendation for wilderness to roughly 15,000 acres.

In addition, the American Wilderness Alliance, with the support of other conservation groups and the Colorado Division of Wildlife, recommends the following boundary adjustments to the established South San Juan Wilderness:

1) Extend the northwestern wilderness boundary near Coal Creek to more closely follow the roadless area boundaries, thus protecting critical habitat for elk and deer, and possible grizzly habitat. This would add approximately 9,000 acres to the established Wilderness.

2) Extend the western wilderness boundary near Blackhead Peak to include the Needles and Squaretop Mountain. This would constitute an addition of 2,500 acres.

3) Extend the southwestern wilderness boundary to include Chama Basin, thus protecting critical elk and deer habitat. More closely following the roadless area boundary would add 22,000 acres.

4) Extend the northern wilderness boundary to the west of Montezuma Peak WSA, to include 5,000 acres, allowing adequate buffer zones for nearby private lands.

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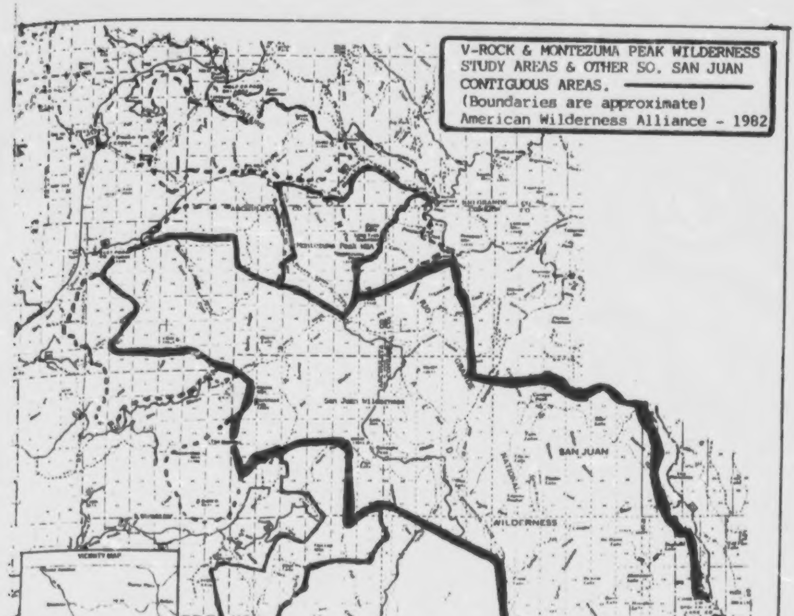
5) Add the Treasure Mountain area from Windy Pass on the west to Silver Mountain on the east. This constitutes an addition of 17,000 acres.

The American Wilderness Alliance feels that these boundary adjustments would provide protection for critical wildlife habitat and would greatly enhance the wildland resources of the South San Juan Wilderness.

In summary, the Alliance recommends that a total of 90,500 acres of presently unprotected lands contiguous to or near the established South San Juan Wilderness be added to the National Wilderness Preservation System, thus protecting their valuable watershed, wildlife habitat, scenic and wilderness recreational resources for present and future generations.


V-ROCK & MONTEZUMA PEAK WILDERNESS
STUDY AREAS & OTHER SO. SAN JUAN
CONTIGUOUS AREAS.
(Boundaries are approximate)
American Wilderness Alliance - 1982
San Juan Wilderness
SAN JUAN
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WHEELER GEOLOGIC AREA

(Wilderness Study Area)

I. Location: The 14,000 acre Wheeler Geologic Wilderness Study Area (WSA) is part of the much larger Wheeler-Wason Roadless Area, #3278. Located in southwestern Colorado along the Continental Divide at elevations ranging over 11,000 feet, the study area is nestled on the southern border of the established La Garita Wilderness. Within a short drive from the town of Del Norte and within an hour of Pagosa Springs, the area is an accessible undeveloped recreation and educational site.

II. Description: The heart of the study area encompasses the unique rock formations of the Wheeler Geologic area. These are impressive pinnacles carved by the wind and rain from horizontal layers of volcanic ash and rock. The formations are both scenic and of scientific and educational value.

Surrounding this geologic site is a large area of pristine and diverse wilderness. In contrast to the sharp spirals of volcanic rock are the rolling sub-alpine meadows of Wason Park and Silver Park. These areas are fine examples of primeval ecosystems, replete with wildflowers and other plantlife. Deer and elk use the areas heavily. Though the current boundaries of the wilderness study area exclude a great portion of these areas, they are important wildlife habitat and examples of natural diversity in ecosystems which should be given wilderness protection.

A few non-constructed four-wheel-drive trails traverse parts of the roadless tract, including one which leads dangerously close to the easily disturbed volcanic formations of the Wheeler Geologic Area. It is a very rough jeep trail, and erosion caused by motorized access has contributed to the deterioration of the fragile formations. Closure of this jeep trail would help insure the continued scenic and educational value of the wildland resource. Other four-wheel-drive vehicle use has caused extensive soil and vegetation damage to the lower meadows of Silver and Wason Parks. The fragile nature of these high tablelands and low meadows is best suited to non-motorized types of recreation. The areas most directly affected by the motorized traffic should be closed to further motorized use and allowed to reseed naturally.

According to the U.S. Forest Service draft environmental statement on RARE II, the Wheeler-Wason area lacks proven or producing minerals. There are limited and scattered areas of timber. Its steep, rugged terrain and fragile ecosystems make the area much more valuable as an undeveloped, scenic, scientific and educational resource. This same combination of values makes it a logical and natural addition to the established La Garita Wilderness. This would give La Garita the size, depth and diversity required to best manage and protect its vital wilderness attributes. At present, along the Continental Divide where the Wheeler study area joins La Garita, the designated wilderness is exceedingly narrow.

Extending the boundaries would include the undulating tablelands to the west which fall abruptly off into deep gorges where creeks cascade off the ledges. The addition of surrounding areas of potential wilderness makes the Wheeler Geologic Area a rich, diverse section of lower elevation life zones and associated wildlife. This is a type of wilderness inadequately represented in the National Wilderness Preservation System.

The current wilderness study area of 14,000 acres does not adequately encompass the life zones and ecosystems represented in the 58,910 acre surrounding roadless area. Inclusions of a major portion of the roadless area would greatly enhance La Garita Wilderness.

III. Natural Condition: In 1978, the Wheeler-Wason Roadless Area rated a 21 out of 28 points in the Wilderness Attribute Rating System used by the Forest Service. This attests to the pristine conditions of the wilderness study area and its surroundings. The area is remarkably free of man-made developments.

IV. Water: A quality watershed is a prime resource of the area. Several major creeks drain the area, including Willow Creek. The Willow Creek drainage is a vital portion of the Creede municipal watershed. Another major creek system draining the area is East and West Bellows Creek, which combine to flow southward into the Rio Grande River.

V. Fish: Besides the presence of brook trout and rainbow, the Forest Service has identified potential or existing habitat for three wilderness-associated species of fish. These include the cutthroat trout which is a threatened species in Colorado. As the bald eagle is testimony to

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the primeval forest environment, the cutthroat trout is testimony to the undisturbed nature of the aquatic environment. The cutthroat trout does not prosper with roadside fishing pressure. The increased use of motor-driven vehicles in the fragile area is a serious threat to both water quality and the survival of the cutthroat population.

VI. Wildlife: Big-game habitat should be a prime consideration in the management of the area. Its diverse ecosystems make it valuable habitat for a number of big-game species. It is known elk-calving habitat and important summer range for bighorn sheep. The guiding and outfitting business is of major importance to the local economy. In 1977, the Wheeler-Wason area provided 129 elk for over a thousand hunters.

Potential or existing habitat for 17 wilderness-associated species has been identified in the area. Among these are the pine marten and the cougar. The area reportedly provides one of extremely few nesting sites in Colorado for the endangered bald eagle. Other birdlife includes the ptarmigan, a wilderness-associated species highly prized by hunters.

VII. Recreation: The Forest Service draft environmental statement shows that non-motorized recreation, such as hiking and camping, accounts for more than twice as many recreation visitor-days as does motorized activities. The area is well suited to leisurely hikes and educational field trips.

Popular as a big-game hunting area, Wheeler-Wason is a vital source of income for local guides and outfitters.

Though off-road motorized recreation accounts for a small portion of recreational activity, it accounts for a large part of the damage to the area. Motorized activity should, for the protection of the wilderness qualities of Wheeler-Wason, be banned from the area. Many of the most scenic spots are within easy hiking distance, and elimination of motorized disburbance will allow them to continue to be well worth the hike.

Hiking could become a major activity in Wheeler-Wason if current plans to route the congressionally established Continental Divide National Scenic Trail through the area are carried out. In order to comply with the intent of Congress, it is essential to protect the naturalness of the trail's route.

VIII. Soils: The soils of the area are derived mostly from granite, with much rhyolite and andesite. In the lower elevations, the soil is stable and fertile with 10 to 20 inches of silt loam. Under normal circumstances, the erosion hazard of these soils is low, but under the stress of off-road vehicle traffic these deep, damp soils are subject to extensive soil and vegetation disruption.

The soils of the steep terrains in the high elevations are thin and unstable. Any loss or disruption of these soils is particularly serious, due to the low fertility and recovery potential. Those activities which pose a threat to these soils, (and therefore to watershed and plant and animal life) should be discontinued or closely managed so as to lessen their impact.

IX. Timber: The limited amount of commercial timber consists of Engelmann spruce and lodgepole pine. Most of this is in the East and West Bellows Creek drainages--areas of vital watershed importance. Other areas of timber, such as that found in Silver and Wason Parks, are scattered and difficult to harvest economically. When considered against the value of the largely undisturbed watershed, wildlife and wilderness characteristics and the instability of the high-elevation soils, the value of available timber is minimal.

X. Grazing: Local ranchers support the wilderness designation alternatives because of the adverse effect roadbuilding and other types of development would have on their grazing operations. The grazing which presently occurs would be allowed to continue under the provisions of the Wilderness Act of 1964.

XI. Minerals: The Forest Service draft environmental statement for RARE II reports that the Wheeler-Wason area has no proven, producing or areas of high potential mineralization.

XII. Extent of Public Support or Opposition: Support for the Wheeler-Wason area comes from many different sectors: hikers, geologists, birders, horseback riders, ranchers and others. Over 2,600 citizens supported a wilderness designation during the public input period of RARE II. This amounted to 93% of all communications received on the area.

Organized support comes from such conservation groups as the American Wilderness Alliance and Colorado Open Space Council, and from the 15,000 member United Sportsman's Council of Colorado.

Opposition comes from four-wheel-drive enthusiasts. Recently, despite the lack of operable minerals in the area, some opposition has also been heard from mining interests. However, their concern relates to the western edge of the roadless area (Whited Creek, East Willow Creek and Farmers Creek). Our wilderness recommendation excludes this zone.

XIII. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $1,021,987 and $920,682, respectively, over a fifty-year planning period. These $1,942,669 of benefits compare to a cost of only $322,736. The details of the estimation of these benefits and costs are presented in the appendix of this report.

XIV. Recommendation: The current Wheeler Geologic Wilderness Study Area boundaries, which encompass 14,000 acres, do not adequately represent the diversity of natural ecosystems and wilderness qualities found in the surrounding roadless area, nor give the depth necessary to insure protection of the Wheeler Geologic formations and the wilderness qualities of the adjoining La Garita Wilderness. Therefore, the American Wilderness Alliance recommends the following specific boundary adjustments:

1) The northwestern wilderness boundary should be extended to East Willow Creek and follow the ridge south.

2) It should extend eastward to the natural boundary of Wason Park.

3) Following the ridge which forms the Wason and Silver park boundaries, it should continue east to the West Bellows Creek Canyon.

4) It should be adjusted to encompass as much of West Bellows Creek as is possible and then follow the raodless area boundary to the established jeep trail.

5) At the jeep trail, it should extend upwards to dissect the trail at a suitable point near the original wilderness study area boundary.

6) At the jeep trail, it will continue east to the roadless area boundary, which it will follow until it dissects Forest Service Trail #675, where it will continue due east, cutting off the unnatural appendages of the Deep Creek area, and again join the roadless area boundary.

These recommended boundaries encompass approximately 51,000 acres of the Wheeler-Wason Roadless Area and are drawn to include the greatest possible variety of natural ecosystems the roadless area has to offer, along with the area's highest scenic, scientific and educational values. The proposed boundaries exclude areas with significant developments and mineral explorations which would hinder wilderness management. This proposed addition would greatly enhance the area's value as an extension of the existing La Garita Wilderness. It would make La Garita Wilderness a rich, scenic and outstanding member of the National Wilderness Preservation System for the use and enjoyment of present and future generations.

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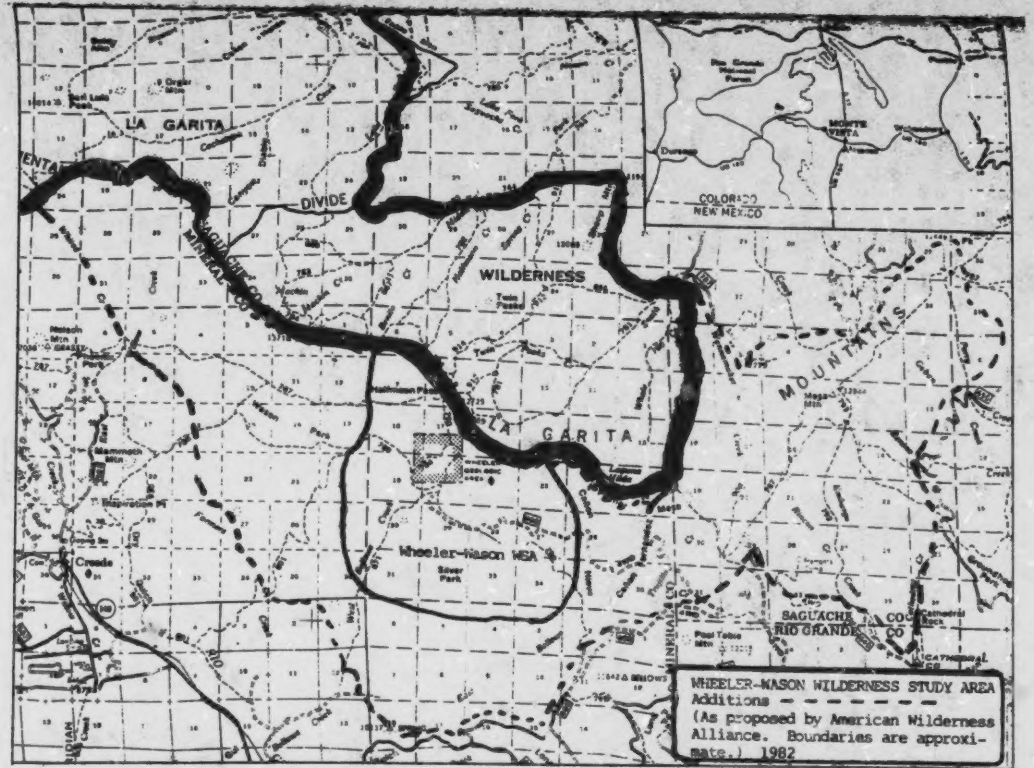

LA GARITA
DIVIDE
WILDERNESS
Twin Peaks
SAGUACHE CO
MINERAL CO
Halfmoon Pass
LA GARITA
MOUNTAINS
Mesa Mtn
Wheeler-Wason WSA
Silver Park
Creede
Mammoth Mtn
Inspiration Pt
Monte Vista
Durango
Rio Grande National Forest
COLORADO
NEW MEXICO
SAGUACHE
RIO GRANDE
CO
CO
Cathedral Rock
Pool Table Mtn
CATHEDRAL CG

WHEELER-WASON WILDERNESS STUDY AREA
Additions - - - - - - - -
(As proposed by American Wilderness Alliance. Boundaries are approximate.) 1982

CANNIBAL PLATEAU

(Further Planning Area)

I. Location: Located eight miles east of Lake City in Hinsdale County, the 31,990 acre Cannibal Plateau Further Planning Area (FPA) is a part of the Gunnison National Forest. Nestled next to the valley of the Lake Fork of the Gunnison River, Cannibal Plateau is between the Uncompahgre Mountains to the northwest and La Garita Mountains to the southeast. Adjoining the area on the north and east is the Bureau of Land Management Instant Wilderness Study Area (WSA) Powderhorn.

II. Description: Despite the gruesome-sounding name which stems from the activities of an early-day snowbound hiker and his five companions, Cannibal Plateau is a beautiful high alpine plateau. Forming sharp canyons, many small, clear creeks flow through forests of spruce and fir and into open parks. Elevations range from 9,500 feet to 12,000 feet, with approximately one-half of the area being above timberline. This high elevation and relative flatness affords the hiker unrivaled views of the mountains which surround the plateau.

Located in the San Juan Volcanic Field, the area contains many geologic attributes. The Slumgullion Slide, an earthflow stretching four and one-half miles into the valley, where it blocks the Lake Fork of the Gunnison River to form Lake San Cristobal, has its origin on the western edge of the FPA. Lake City-Uncompahgre and San Juan calderas rest on the borders, giving the area a high scientific and educational value.

Geographically, the area has great value as a natural extension of the contiguous 50,060 acre BLM Powderhorn WSA. The Powderhorn has administrative primitive area status.

III. Natural Condition: Under the U.S. Forest Service Wilderness Attribute Rating System, Cannibal Plateau was given a rating of 21 out of a possible 28 points. The high wilderness condition of the area is further attested to by the presence of potential or existing habitat for 17 wilderness-associated species of wildlife, as identified by the Forest Service. These species include the nationally endangered peregrine falcon and the Colorado-endangered wolverine. Wilderness-associated species generally require an undisturbed natural habitat for survival. The Cannibal Plateau provides this type of natural ecosystem.

Developments on the plateau have been minimal. Two non-constructed jeep trails are located on the Mesa Seco which have been closed to vehicular traffic except for two-wheeled and over-the-snow vehicles. Other developments are connected to the grazing industry and do not significantly detract from the area's wilderness character.

Adding greatly to this wilderness character is the existence and easy accessibility of such natural geologic wonders as the Slumgullion Slide, the San Juan Volcanic Fields and several calderas.

IV. Water: Twenty to 30 inches of precipitation falls on the plateau each year, with 60% of that total being snowfall. The high, windy tundra does not accumulate snow, and therefore spring run-off is low. Most of the water in the area drains southeasterly through Brush Creek, into Cebolla Creek and eventually to the Blue Mesa Reservoir. The extreme western edge is very steep, and the water which falls here drains westerly through Eaton Creek and into the Lake Fork of the Gunnison River.

A small reservoir is located on the extreme western edge of the plateau on the Mesa Seco. Waterdog Lake, as the reservoir is called, is only visible from a small area and would cause no management difficulties.

V. Fish: The waters of the Cannibal Plateau provide habitat for three wilderness-associated species of fish including the cutthroat trout. These wilderness-associated species require an undisturbed aquatic environment provided by the pristine watersheds of the Cannibal Plateau. Excess fishing pressure or disturbances caused by development would be detrimental to the fish populations. Brown trout are also found in the creeks.

VI. Wildlife: Abundant wildlife is found on the plateau. The FPA provides potential or existing habitat for 17 wilderness-associated species, such as the wolverine and lynx, both endangered species in Colorado. Elk and mule deer summer in the area, and a section of the southeastern corner has been identified as elk winter range. The importance of this area to the wildlife it harbors has been recognized by the Colorado Division of Wildlife, which is supportive of protecting the area through a wilderness designation.

The high alpine country provides excellent habitat for ptarmigan, bald eagles, peregrine falcons, goshawks and spotted owls.

VII. Recreation: Opportunities for recreation include wilderness camping, fishing, hunting, cross-country skiing, hiking and sightseeing. All of these recreational opportunities are increased by the existence of the 50,060 acre contiguous Powderhorn WSA. Its easily accessible and numerous geologic formations give the area a high scientific and educational value.

VIII. Soils: Most of the area is underlain with rock of the volcanic Hinsdale formation. The plateau was formed of silic and basaltic lava. Soils around the Slumgullion Slide are made up of landslide deposits, such as talus and colluvial deposits.

The areas most susceptible to erosion are those areas above timberline which have a low regeneration rate, as well as those around the numerous geologic features. With many geologic features and nearly one-half of the area above timberline, erosion hazard is high.

IX. Timber: With one-half of the area above timberline and only one-third of the entire roadless area classified as commercial forest, Cannibal Plateau is not considered a valuable timber area. The lower sections are made up of spruce-fir and aspen forest. This timber is estimated at 55 million board feet, with 80% softwood and 20% hardwood. This is not enough to sustain a commercial timber operation.

With the steep slopes and erosion hazards, the timber's greatest use is in maintaining the high quality watershed and wildlife habitat.

X. Forage: Some 1,500 animal unit months of grazing are recorded each year, with 80% of this figure involving sheep and the remainder cattle. There is little evidence of recent overgrazing in the area. Under the 1964 Wilderness Act, grazing will be allowed to continue under a wilderness designation.

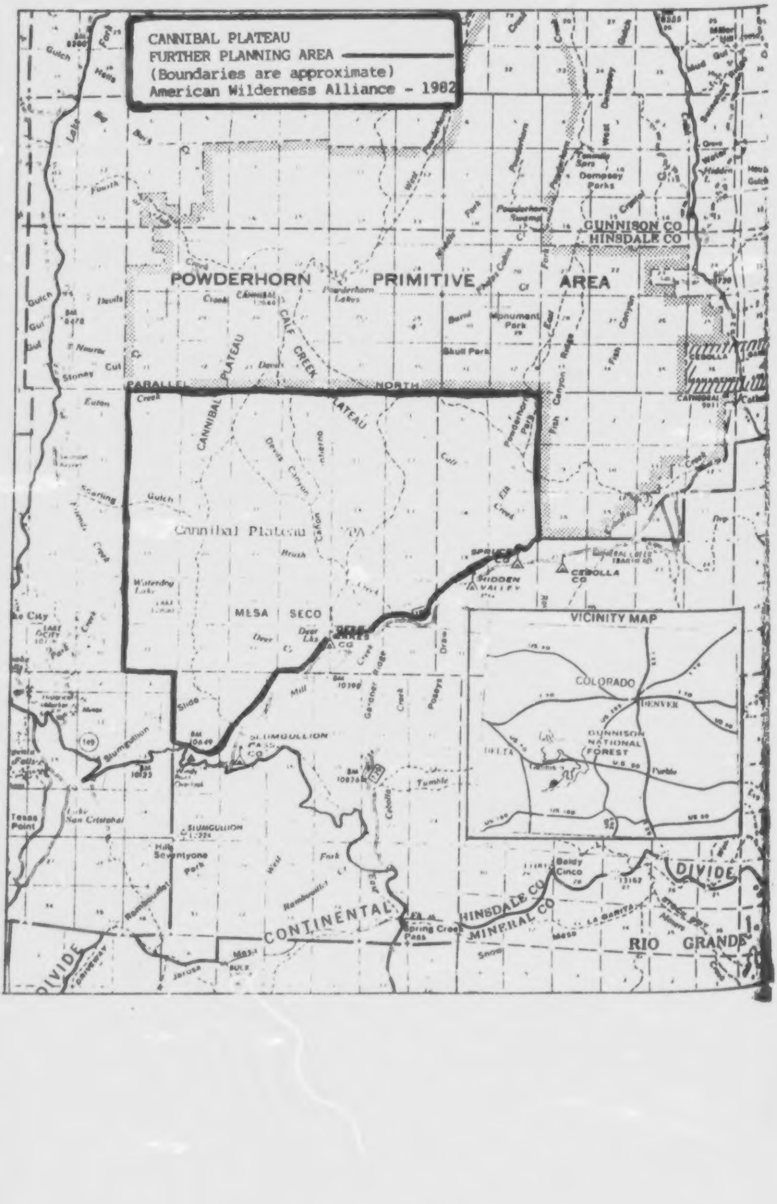
XI. Minerals: There are no known or proven mineral sites, and the area's potential for minerals is low. With the thickness of the underlying rock formations, any mineral deposits would be deep and expensive to extract.

XII. Extent of Public Support or Opposition: The value of Cannibal Plateau as an undisturbed geologic resource and as important wildlife habitat has prompted widespread support for the protection of the area as wilderness. Local support includes ranchers and outfitters. Statewide support comes from the American Wilderness Alliance, the Wilderness Network and the Colorado Division of Wildlife.

Little opposition is expected due to the lack of resource conflicts.

XIII. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $2,323,249 and $2,101,470, respectively, over a fifty-year planning period. These $4,424,719 of benefits compare to a cost of only $1,124,445. The details of the estimation of these benefits and costs are presented in the appendix of this report.

XIV. Recommendation: Protection of valuable geologic and wildlife resources would be best accomplished with a wilderness designation. Therefore, the American Wilderness Alliance recommends that the entire 31,990 acre Cannibal Plateau FPA be added to the National Wilderness Preservation System. By designating the Cannibal Plateau FPA as wilderness, further protection is afforded the 50,060 acre BLM Powderhorn WSA until it can be further studied for inclusion in the system.


CANNIBAL PLATEAU
FURTHER PLANNING AREA
(Boundaries are approximate)
American Wilderness Alliance - 1982
POWDERHORN PRIMITIVE AREA
GUNNISON CO
HINSDALE CO
CANNIBAL PLATEAU
CALF CREEK PLATEAU
PARALLEL
NORTH
Powderhorn Lakes
Monument Park
Skull Park
Dempsey Parks
Powderhorn Swamp
Cannibal Plateau FPA
MESA SECO
Deer Lks
Devils Canyon
Inferno
Waterdog Lake
Lake City
SPRUCE CG
HIDDEN VALLEY
CEBOLLA CG
SLUMGULLION PASS CG
Slumgullion
Lake San Cristobal
Tesses Point
Gardner Ridge
Poseys
Cebolla
Tumble
CONTINENTAL DIVIDE
HINSDALE CO
MINERAL CO
Spring Creek Pass
Baldy Cinco
RIO GRANDE
Jarosa
Mesa
VICINITY MAP
COLORADO
DENVER
DELTA
GUNNISON NATIONAL FOREST
Pueblo

DAVIS PEAK

(Further Planning Area)

I. Location: Wrapped around the northern boundary of the established Mount Zirkel Wilderness, this 9,850 acre Further Planning Area (FPA) is the northernmost unit under study for inclusion in the Naitonal Wilderness Preservation System in Colorado. Contiguous to the Mount Zirkel Wilderness, Davis Peak FPA makes a logical wilderness addition. In the Routt National Forest near the Colorado-Wyoming border, the area would serve the citizens of Craig and Steamboat Springs in Colorado, Rock Springs and Green River in Wyoming, and the many tourists who visit the area every year.

II. Description: The rolling hills of Davis Peak FPA are a natural extension of the rugged peaks of the Mount Zirkel Wilderness. These rolling hills are broken by several deep river canyons formed by the West Fork and the Main Fork of the Encampment River. Black Mountain, a rugged formation, lies to the east of these forks, while lodgepole pine-covered slopes are formed on the west. These two river canyons run north and south to join near the Colorado-Wyoming border.

The rolling hill-and-canyon terrain is dotted with grassy parks, willow bogs and Engelmann spruce stands. Elevations range from 8,400 feet at the confluence of the two river canyons, to 10,936 feet at the west end of Buffalo Ridge. Both the West Fork and the Main Fork of the Encampment River have their headwaters within the boundaries of Davis Peak FPA. The U.S. Forest Service, Colorado Department of Natural Resources and Colorado conservation groups have recommended the West Fork and the Main Fork of the Encampment River in Colorado for a "wild" classification in the National Wild and Scenic Rivers System.

III. Natural Condition: It has been said that a river is of no higher quality than the area which it drains. The Encampment River, which drains Davis Peak FPA, is a high quality river with its waters being rated as "excellent". This is perhaps the most telling testimony to the pristine nature of the Davis Peak area.

The area's naturalness and the presence of the wild Encampment River helped the area score a 21 out of a possible 28 points in the Forest Service's Wilderness Attribute Rating System.

The Colorado Division of Wildlife recognizes the Davis Peak area as critical elk habitat and calving grounds. Big-game hunting accounts for a major portion of the recreation days and contributes heavily to the stability of the local economy.

Historically, the area is significant, due to the existence of the first wagontrain route to Hahns Peak via Hog Park to Big Red Park. Also, there are scattered historic cabins from the early 1900s and minimal evidence of tie-hack activity. The Forest Service rates the opportunity for historic study as "significant" in this area.

There are several stock driveways in the area and two jeep ways. One of the jeep ways runs about one and a half miles along the West Fork and the other about two miles up the Main Fork. The way along the West Fork once went up to West Fork Lake but has been closed north of the West Fork Meadows for several years and is not readily apparent.

IV. Water: The wild Encampment River is the gem of the Davis Peak FPA. Both the West Fork and the Main Fork find their headwaters here. The water quality of the Encampment has been rated as "excellent."

In addition to the forks of the Encampment, there are many smaller creeks, such as Davis Creek and Hog Park Creek.

Roadbuilding and other developments, as well as off-road vehicle use, in the West Fork and the Main Encampment drainages could have major adverse impacts on the water quality and valuable trout fisheries. Moreover, this activity would be totally inconsistent and in conflict with the Forest Service's publicly supported recommendation to designate these river segments as "wild" and add them to the National Wild and Scenic Rivers System. A wilderness designation would best protect the option to classify these reaches of the river as "wild", since, by definition under the law, a "wild" river must be without roads or other developments.

V. Fish: Both forks of the Encampment and some 20 other side tributary streams have populations of brook, rainbow and brown trout. The Forest Service has also identified habitat for three species of "wilderness-associated" fish in the waters of the Davis Peak FPA. These species include the cutthroat trout. Such species cannot tolerate the degradation of their aquatic environment. The Forest Service and the Colorado Department of Natural Resources have stated that the Encampment in Colorado has an "outstandingly remarkable fish and wildlife value."

VI. Wildlife: Within the boundaries of the FPA, potential or existing habitats exist for 18 species of "wilderness-associated" wildlife. These areas, identified by the Forest Service, include habitats for nationally endangered species, such as the bald eagle and the peregrine falcon.

The Colorado Division of Wildlife has recognized the Davis Peak area as prime and critical habitat for elk. The tract supplies important elk calving areas. The area also provides habitat for black bear, mule deer, ptarmigan and other species.

VII. Recreation: The gently rolling hills are easily accessible to hikers and horseback riders. Trails for foot and equestrian travel lead through the Davis Peak area and into the Mount Zirkel Wilderness. The steep canyon walls provide a break in the scenery and offer a challenge for the hikers. Most of the non-motorized recreation takes place in the vicinity of the river canyons. This use accounts for 4,000 visitor-days per year.

The area's proximity to the Continental Divide and its contiguity with the established Mount Zirkel Wilderness make the Davis Peak FPA a likely place for routing the established Continental Divide National Scenic Trail. The designation of the area as wilderness would preserve the natural integrity of the trail, should it be routed through this area.

Big-game hunting, particularly elk, accounts for another 4,000 visitor-days a year and adds greatly to the local economy through the guiding and outfitting business and private hunters.

Fishing is also a popular use of the area with the abundant population of such prized fish as the cutthroat, rainbow and brook trout.

VIII. Soils: The underlying rock of the area is predominantly felsic and hornblendic gneisses, with pockets of glacial drift and granitic formations. Soils are, for the most part, deep and stable except on steep slopes and along riparian zones.

IX. Timber: Of the 9,850 acres of the FPA, approximately 8,700 acres have timber cover. This cover is made up largely of lodgepole pine and Engelmann spruce. The timber suitability has yet to be determined for the area, but the timber types are readily available in other, more accessible places with less potential environmental damage. The Forest Service has no timber sales for the area in its five-year plan.

X. Forage: Currently, only the extreme northern end of the area is under a grazing permit. This permit is a temporary allocation of 120 head of livestock. Wildlife species depend heavily on the pockets of meadows and grassy bogs for forage.

XI. Minerals: According to the draft environmental statement for RARE II in Colorado as released by the Forest Service, the Davis Peak FPA has no producing, proven or high potential for oil and gas, coal, uranium or other critical resources. Currently, there are no mineral activities or outstanding leases within the boundaries.

XII. Extent of Public Support or Opposition: During the RARE II process, the Davis Peak area received the fourth highest number of wilderness-supportive responses of any Colorado area under consideration. Wilderness recommendation is supported by the American Wilderness Alliance, other national groups, and state-wide groups like the Colorado Wilderness Network. Endorsement also comes from the Colorado Division of Wildlife.

Opposition is expected primarily from motorized recreation interests.

XIII. Economic Analysis: The wilderness recreation benefits and preservation values (option, existence and bequest values) that would be insured by designation are estimated to be $756,972 and $839,050, respectively, over a fifty-year planning period. These $1,596,022 of benefits compare to a cost of only $265,842. The details of the estimation of these benefits and costs are presented in the appendix of this report.

XIV. Recommendation: Because the current Forest Service boundaries for the Davis Peak Further Planning Area do not encompass all of the contiguous land which are important to wilderness-dependent wildlife, have undeveloped recreation values and are of high wilderness quality, the American Wilderness Alliance recommends the following boundary adjustments:

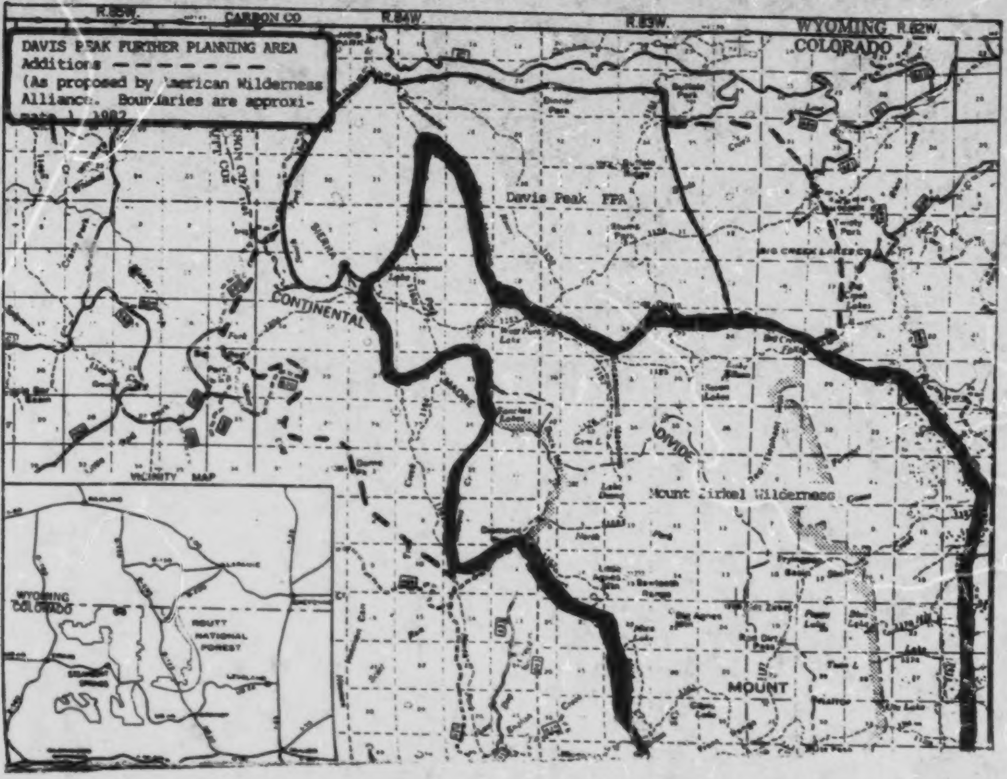
1) Extend the western boundary of the Davis Peak area to parallel the four-wheel drive road (leaving a manageable buffer zone) to the original roadless area limits. The boundary would then extend south to the ridge before City Creek and run along the crest of that ridge to Dome Peak. From the summit of Dome Peak, the boundary would run southeast to the existing wilderness boundary near Diamond Park. This area contains important watershed values in parts of City Creek, Trail Creek and several unnamed creeks. Several hiking trails which are important to recreation are found here. In addition, the Colorado

Division of Wildlife supports a wilderness designation for the area as protection for vital habitat. This addition encompasses approximately 6,500 acres.

2) Extend the eastern boundary to the original roadless area line, then south to join with the existing wilderness borders. This area will allow easy access from the Big Creek campground. The northern section of the proposed addition is recognized by the Colorado Division of Wildlife as important wildlife habitat. The addition is supported by recreation and wildlife groups. This adjustment of the boundaries encompasses approximately 3,000 acres.

These additional lands would add to the scenic, recreational, wildlife, watershed and ecological value of the Davis Peak FPA. It would protect an area which is likely to be the route of the established Continental Divide National Scenic Trail. These additions, through rounding out the boundaries by natural topographical features, will make the Davis Peak area easily manageable as wilderness.

With these enlargements, the American Wilderness Alliance recommends the addition of approximately 20,000 acres of the Davis Peak FPA and adjacent lands to the established Mount Zirkel Wilderness.


DAVIS PEAK FURTHER PLANNING AREA
Additions — — — — — —
(As proposed by American Wilderness Alliance. Boundaries are approximate.) 1982
R.85W.
CARBON CO
R.84W.
R.83W.
WYOMING
R.82W.
COLORADO
Davis Peak FPA
BIG CREEK LAKES CG
SIERRA
CONTINENTAL
MADRE
DIVIDE
Mount Zirkel Wilderness
MOUNT
VICINITY MAP
WYOMING
COLORADO
ROUTT NATIONAL FOREST

MAY 11 1984

BILL GRADISON
2ND DISTRICT, OHIO

MARGARET TOTTEN
ADMINISTRATIVE ASSISTANT

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May 4, 1984

The Honorable John Seiberling
Chairman
Public Lands and National Parks
 Subcommittee
A812 House Annex #1
Washington, D. C. 20515

Dear John:

I understand that the Public Lands Subcommittee will hold hearings on Colorado Wilderness legislation on May 10. Therefore, I would like to take this opportunity to bring to your attention the enclosed letter that I received from one of my constituents, Paul E. Heckel, who is President of Silver Hat Mining, Inc.

Mr. Heckel is concerned that this legislation will have an adverse affect on his silver mine, which is located in the vicinity of Ophir, Colorado. I would like to request that the subcommittee take Mr. Heckel's comments under advisement as the panel considers this issue. I also would appreciate any information that you could provide me in response to Mr. Heckel's concerns.

Thank you for your cooperation and assistance.

Sincerely,

Bill Gradison
Representative in Congress

BG/tm
Enclosure

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1st District, Denver, Colorado

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Congress of the United States
House of Representatives
Washington, D.C. 20515

ARMED SERVICES COMMITTEE
POST OFFICE AND CIVIL SERVICE COMMITTEE
JUDICIARY COMMITTEE
SELECT COMMITTEE ON CHILDREN, YOUTH & FAMILIES
CONGRESSIONAL CAUCUS FOR WOMEN'S ISSUES, CO-CHAIR

June 15, 1984

Honorable John Seiberling
Chairman
Subcommittee on Public Lands & National Parks
House Interior and Insular Affairs Committee
A812 HOB Annex 1

Dear John:

I am writing in support of a Colorado Wilderness bill that proposes the most expansive acreage possible.

We need to incorporate the maximum wilderness areas possible in order to meet the future wilderness needs of Colorado. The demand for wilderness recreation is increasing at a high rate each year.

Many of the proposed wilderness areas are within a two hour drive of the front range cities. Moreover, the wilderness areas provide irreplaceable habitat for valuable fish and wildlife. Fishing, hunting, guiding and outfitting, not to mention camping and hiking, are multi-million dollar businesses in Colorado.

I commend my colleagues for introducing their respective Colorado Wilderness bills. I am disappointed that acreage in Buffalo Peaks and Lost Creek was excluded in the final bill.

Lost Creek is southwest of Denver. During the Rare I procedure the area received more pro-wilderness comments than any other. Buffalo Peaks has been the most productive bighorn sheep habitat in the state and has served as a sanctuary for elk and deer as well.

Studies within these wilderness areas have shown that timber volumes and quality are extremely low, and mineral potential is lacking.

I look forward to the conference as a hope to amend those wilderness areas where crucial acreage has been excluded.

Sincerely,

Patricia Schroeder
Congresswoman

PS:kg

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APPENDIX II

THURSDAY, JUNE 7, 1984

ADDITIONAL MATERIAL SUBMITTED FOR THE HEARING RECORD

The Hon. Don Bonker
June 7, 1984

Before the
Subcommittee on Public Lands and National Parks

I would like to thank the distinguished Chairman and Members of the Subcommittee for this opportunity to testify on behalf of S. 827, The Washington State Wilderness Act of 1984. As passed by the Senate, this legislation represents the consensus of our State Delegation.

No member of this Delegation could say he supports every aspect of this bill. For myself, I know there are areas I would have preferred to include and exclude from the package we have agreed to. But that is the nature of a true consensus.

All interests in this seemingly endless battle over wilderness designation stood to lose much by putting off this important legislation any longer. The timber industry faced the prospect of drastically reduced harvests due to ongoing litigation over the adequacy of the Forest Service review of roadless areas suitable for wilderness designation. On the other hand, delay of the legislation may have precluded consideration of some areas that would, due to development, no longer be suitable.

We are blessed by living in what I believe to be the most beautiful state in the nation. Nearly every acre of unroaded area left in Washington is of immeasurable value. Our job in Congress is to strike a compromise that protects and preserves unique areas, while taking into account other critical needs in national forests.

The timber industry is a major employer in Washington, particularly in the Southwestern area of the state. Certainly, allocation of wilderness in itself will not sound the death knell for this industry on which our region and nation depend. There are other matters concerning the industry that Congress must attend to: overpriced federal contracts that threaten to bankrupt small mills; alarming increases in Canadian timber imports; inequitable tariffs in the Pacific Rim; and insufficient funding for high-yield reforestation efforts. But the long-term adequacy of timber supplies is also a crucial problem which demanded consideration in this legislation.

At the same time, decisions on allocation of public lands cannot be made by economic considerations alone. Wilderness boundaries should be based on the need to provide critical recreational experience; to protect drainage basins; to preserve wildlife habitat; and to maintain our natural resources for the benefit of future generations. It is also important to note that recreational opportunities in Washington State provide substantial jobs and other economic benefits.

I believe our legislation succeeds in balancing these critical needs. Briefly, I would like to address specific additions to the Wilderness system in the Third District, which I represent.

GLACIER VIEW

On the west boundary of Mt. Rainier National Park, the 3,050-acre Glacier View Wilderness will be established. Glacier View Point and Mount Beljica offer spectacular views of the Tahoma Glacier. I received significant input favoring its inclusion, particularly from the Washington State Department of Game. As this area adjoins the national park, but is otherwise largely surrounded by heavily clearcut private land, it is a critical corridor for wildlife.

The Tatoosh Wilderness will be added on the southern boundary of the Park. Our bill differs markedly from the Forest Service's proposed boundary by including Backbone Ridge. The Tatoosh Ridge offers views of Mt. Rainier and the Tatoosh Range.

The Goat Rocks Wilderness established in 1964 will be expanded by 23,143 acres. In the Third District, these additions include Coal Creek Bluff; the area surrounding Packwood Lake; the Jordan Creek Basin; the area surrounding Walupt Lake; and the Cispus River Valley. As this area was established along section lines, these additions were necessary to include entire ecosystems within the wilderness and to make more manageable topographic boundaries. I will also note for the Subcommittee that I support the boundary adjustment that may allow expansion of the White Pass Ski Area. Originally, the proposed adjustment totalled 2,400 acres and impinged unacceptably on a critical drainage basin. The 800-acre adjustment is acceptable. I support expansion of this ski area to benefit skiers from throughout our region and to benefit the local economies. I also believe this adjustment to be consistent with our effort to redraw the entire boundary of the Goat Rocks along more manageable lines.

I also worked closely with other Members of the Delegation on the boundaries for the William O. Douglas Wilderness. The southwest portion of that area in my District includes key trails and other important ecologic features.

Finally, I am pleased that the Delegation has decided to honor the late Sen. Henry M. Jackson by naming a critical Wilderness area after him. This area is in the Wenatchee and Mt. Baker-Snoqualmie National Forests. Sen. Jackson's wife, Helen, reminds us that this area was a favorite of Scoop's as a boy. It is indeed proper to honor a man who acted so consistently to provide protection for our public lands.

The support of the Chairman and other Subcommittee members through this deliberative process is deeply appreciated. I would especially like to thank the Chairman of the Subcommittee and Chairman of the full Committee for their work that culminated in a long-awaited agreement on the "release" issue. Without that agreement, this legislation would not be headed toward enactment.

I would be pleased to answer any questions the Subcommittee may have regarding S. 837.

THOMAS S. FOLEY
5th District, Washington

MAJORITY WHIP

VICE CHAIRMAN
COMMITTEE ON AGRICULTURE

CHAIRMAN, SUBCOMMITTEE
ON WHEAT, SOYBEANS AND
FEEDGRAINS

COMMITTEE ON
HOUSE ADMINISTRATION

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June 6, 1984

My dear Mr. Chairman:

I would like to express to you my appreciation for your prompt scheduling of S. 837, The Washington Wilderness Act.

Attached is a statement that I have prepared in support of the legislation as approved by the Senate. I would appreciate your inserting this in the hearing record.

Please be assured of my cooperation as this legislation moves through the House.

Warmest personal regards.

Sincerely,

Thomas S. Foley
Member of Congress

The Honorable John Seiberling, Chairman
Subcommittee on Public Lands and National Parks
Committee on Interior and Insular Affairs
United States House of Representatives
A812 House Office Building Annex 1
Washington, D.C. 20515

TSF:nas
enclosure

BEST COPY AVAILABLE

Statement for the Hearing Record
by the Honorable Thomas S. Foley
in support of S. 837
The Washington Wilderness Bill
Submitted to the House Committee on Interior and Insular Affairs
Subcommittee on Public Lands and National Parks

Mr. Chairman, thank you for the opportunity to submit this statement in strong support of S. 837, the Washington Wilderness Act, as approved by the Senate on May 24, 1984.

As you know, this legislation has the unqualified support of all of the Members of the Washington State Delegation. After extensive hearings, our entire Delegation met at great length, and we believe that we have reached a reasonable consensus that balances the legitimate interests of all of the parties involved.

The choices made during the Delegation discussions were often difficult and quite complex. We recognize that no single Member of our Delegation -- and more importantly, no particular interest group -- is completely satisfied with the provisions of the legislation.

We are, however, firmly convinced that we have done the best that we can and that prompt enactment of our bill is in the best interests of all parties and the people of our State.

I am particularly pleased to note that one of the 18 new national forest wilderness areas in this bill is named in honor of the late Senator Henry M. Jackson. The 103,591 acre Henry M. Jackson Wilderness is located in the Wenatchee and Mount Baker-Snoqualmie National Forests. This area, which includes the Monte Cristo and Lake Vahalla area, is included in the bill in tribute to Senator Jackson's unequaled contributions to preserving and protecting our Nation's park and forest lands for the enjoyment of all Americans. As chairman of the Senate Energy and Natural Resources Committee and the former Committee on Interior and Insular Affairs for 18 years, Senator Jackson left a memorable imprint on important legislation which today protects our Nation's precious heritage.

Mr. Chairman, during Senate Floor consideration of S. 837, six essentially technical amendments were accepted to the bill as reported. These technical amendments address issues that came up following our Delegation discussions and following action by the Senate Committee to report S. 837. The amendments do not themselves pose substantive changes in the legislation; indeed, one amendment -- relating to a particular land exchange -- clarifies the bill.

All of the amendments to S. 837 have the full support of the Delegation Members.

Mr. Chairman, prior to closing, I would be remiss if I did not express my personal appreciation to you for your efforts in resolving the "release" controversy and for your willingness to honor the Delegation's request of May 24, 1984, asking for prompt House action to this legislation.

As you know, it is our goal that we will be able to complete action on this bill in the very near future so that the President will have it for signature prior to the recess for July 4th.

I look forward to working with you in our efforts to achieve this goal and bring this matter to a prompt resolution. I want to assure you of my full cooperation as this legislation continues to move in the House.

Mr. Chairman:

It is a pleasure to come before your Subcommittee today in support of the Washington Wilderness bill.

Each and every member of our delegation spent many hours attending hearings, meeting with interested constituents representing a wide range of concerns, visiting the areas and studying the conflicting land usages in each area. After many hours of meetings, our delegation was able to arrive at a consensus package which has the unanimous support of all ten Members of the Washington delegation.

The bill which is before you today will designate over one million acres of land in Washington State as wilderness. Many of the areas contain spectacular scenery which will be forever protected and enjoyed by future generations. Entire ecosystems will be preserved providing protection to our plant and wildlife, water quality, and other natural resources.

The legislation also contains the new compromise release language drafted by Senator McClure, Congressman Udall and the Chairman of this Subcommittee, Congressman Seiberling. Release, making lands available for nonwilderness management and possible development, is of critical importance to the economic well-being of our state. I congratulate you for your fine efforts in resolving this difficult issue.

Representative Joel Pritchard, 1st district of Washington
June 7, 1984 before the Subcommittee on Public Lands and National Parks
of the Committee on the Interior

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Congress of the United States
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SUBCOMMITTEES:
HOUSING AND COMMUNITY DEVELOPMENT
INTERNATIONAL TRADE, INVESTMENT AND MONETARY POLICY
INTERNATIONAL DEVELOPMENT INSTITUTIONS AND FINANCE
MERCHANT MARINE AND FISHERIES
(ON LEAVE)

Testimony of Rep. Mike Lowry
on S. 837, the Washington Wilderness Act

June 7, 1984

Mr. Chairman, I would like to thank you for the opportunity to appear before your committee. This legislation represents a tremendous accomplishment for the entire delegation. No one of us obtained every goal that we would have liked, but for the sake of the citizens of our state, each of us was able to make certain compromises. I would particularly like to thank my colleagues for their cooperativeness, hard work, and spirit of compromise.

I would like to emphasize that the areas included in this bill will provide important protection to vital fisheries habitat in the state. Critical streams like the Twisp, the upper Skagit, the North and South Forks of the Stilliguamish, the Dosewallips, the American River, Rattlesnake Creek, Crow Creek, Trapper Creek, the Clearwater, and the upper Chewack will all have increased protection for their important runs of salmon and steelhead, and their resident fish. This protection will benefit our fishing industry, and our sports and tribal fishermen. While I would have liked to see all of the streams covered in my Washington Wilderness and Fisheries Act (H.R. 4537) included in S. 837, nonetheless, this compromise does provide significant assistance for fisheries habitat. Also, this bill protects approximately 1100 miles of trails in the state, or an additional 15% of the state's recreational trails.

Finally, the Committee will note that one controversial feature included in this bill provides for a deletion of approximately 800 acres of the Goat Rocks Wilderness. I am sure that others in the delegation would agree that no one in our delegation intends for this action to be in any way a precedent for deletions from other areas. Two factors should make our example difficult for use as a precedent. First, the old boundary was drawn along section lines; this change was one of several adjustments made all around the perimeter of Goat Rocks in order to conform to more logical topographic features. Second, this small adjustment was made in the context of a bill which adds over one million acres of additional wilderness in the state (a trade-off of over 1200 to one), and 29,000 acres to Goat Rocks itself (a trade-off of over 36 to one). Thus, this bill in its entirety is not an encouraging precedent for those seeking frivolous changes in boundaries elsewhere. I hope that the Subcommittee will give the most careful scrutiny to any deletion proposed elsewhere.

The bill honors the late Senator Jackson by the designation of the Henry M. Jackson Wilderness and the late Justice Douglas by the William O. Douglas Wilderness. The two men made great contributions to conservation, and there is no more fitting honor to their memories than the naming of these two areas.

I appreciate especially the Chairman's assistance in reaching a fair compromise on the complex issue of release language.

I thank the Subcommittee for its time and interest and will be happy to answer questions.

TESTIMONY OF CONGRESSMAN ROD CHANDLER
SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS
JUNE 7, 1984

Mr. Chairman, thank you for giving me this opportunity to comment briefly on wilderness legislation for Washington State. My purpose in coming to the Subcommittee today is to join my colleagues in the Washington delegation in expressing our unanimous support for the legislation and urging your prompt and favorable consideration.

The Washington Congressional delegation has a proud history of working together on issues of importance to our state. We proved it once again with our successful efforts to reach a bipartisan compromise on an issue that has bitterly divided the delegations of many other states.

As with any true compromise, all of the Congressmen and Senators made a number of concessions needed for consensus. This bill is not perfect in my eyes, but I know that the delegation -- five Democrats and five Republicans -- worked long and hard to produce a bill that protects as many wilderness areas as possible while minimizing the negative economic and employment impact on the timber industry.

I would like to commend you, Mr. Chairman, for your leadership in arriving at an agreement on national release language. That agreement, and the delegation consensus on wilderness, removes any roadblocks to passage of the Washington bill. The Senate passed the legislation on May 24 without opposition, and I urge the Subcommittee and full Committee to bring this bill to the House floor as soon as possible and on to the President for signature.

STATEMENT OF
DOUGLAS W. MACCLEERY, DEPUTY ASSISTANT SECRETARY FOR NATURAL RESOURCES AND ENVIRONMENT UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands and National Parks
Committee on Interior and Insular Affairs
House of Representatives

Concerning S. 837, a bill to establish wilderness in the State of Washington

June 7, 1984

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

I am pleased to have this opportunity to present the Administration's views on S. 837, a bill that would expand the National Wilderness Preservation System in the State of Washington. S. 837 would designate eighteen new wildernesses and would make additions to four existing wildernesses in the State of Washington. These proposed designations are all within the National Forest System and would add approximately 1 million acres to the National Wilderness Preservation System. The bill also designates approximately 100,000 acres to other special designations in the Mt. Baker National Recreation Area and the North Cascades Scenic Highway Corridor.

The bill includes the recently developed compromise release language. It also provides for a land exchange adjacent to one of the proposed wildernesses and has provisions for withdrawal from mineral entry or leasing the Mill Creek watershed near Walla Walla, Washington. One additional wilderness proposal, Juniper Forest, is managed by the Department of the Interior's Bureau of Land Management. We defer to the Department of the Interior for comment on the Juniper Forest area.

Before giving our recommendations on this Senate passed bill, I would like to offer a few general comments about wilderness in the State of Washington.

WILDERNESS DESIGNATION IN THE STATE OF WASHINGTON

Washington's total land area is 42,605,000 acres, of which 12 million acres, or 29 percent is Federally owned. National Forest System lands total about 9 million acres, or one-fifth of the State. Lands administered by the National Park Service total 1.8 million acres, with the remaining approximately 1 million acres of Federal land in Washington being administered principally by other agencies of the Department of the Interior.

About 1.5 million acres of Federal lands in Washington are currently in the National Wilderness Preservation System. Of this, all is National Forest System, with the exception of 534 acres on several small National Wildlife Refuge System islands. The National Forest System wildernesses are Alpine Lakes, Glacier Peak, Goat Rocks, Mount Adams, Pasayten, and Wenaha-Tucannon. Existing wilderness areas account for 16.6 percent of the National Forest System land in the State of Washington and for 3.6 percent of Washington's total land area. Furthermore, major portions of the North Cascades, Mount Rainier, and Olympic National Parks are roadless and undeveloped. Together existing National Forest wildernesses and National Parks account for one-quarter of all the Federal land in Washington State and for 7 percent of the State's total land area. About 3.4 million acres in Washington are now in either wilderness, National Parks, or in the Mount St. Helens Volcanic Area.

Total commercial forest land within the State is approximately 17.9 million acres. Of that amount 29 percent or 5.2 million acres are National Forests. Only 56 percent of National Forest land in the State of Washington is currently classed as commercial forest land. Yet existing wilderness in Washington contains considerable productive forest land. Nearly 40 percent of the present wilderness in Washington is acreage identified as "productive forest (reserved)."

These are lands that would otherwise be classified as "commercial forest land" were they not withdrawn for wilderness. This 40 percent figure for Washington is comparable to the percent of productive forest land in the National Forest portion of the Wilderness System as a whole. Under existing National Forest land management plans, only about 3.5 million acres of the National Forest commercial forest land in Washington is located in areas that do not require limitations to achieve nontimber objectives as a primary management goal. This is only 39 percent of the total National Forest System lands in Washington and just barely exceeds the 3.4 million acres in existing wilderness, National Parks, and the Mount St. Helens Monument.

These figures state the situation before the current consideration of additions to the Wilderness System in Washington. RARE II recommendations for wilderness were strongly influenced by the limited area of National Forest land available for timber management activities, as well as other nonwilderness uses. If the Administration's recommendations for wilderness were adopted, it would mean that there would be 3.6 million acres in Washington devoted to National Parks, wilderness, and the Volcanic Area and only 3.3 million acres of productive National Forest land on which timber management will not be limited significantly by the need to achieve nontimber objectives as a primary goal. If S. 837 were enacted the total National Forest System wilderness in Washington would be 2.6 million acres which represents 28 percent of the total National Forest System land in the State. Including National Parks and the Monument, there would be 4.5 million acres overall, which represents nearly 38 percent of all the Federal land in the State. Only 3.0 million acres would remain available on which timber management could occur without significant limitations due to other uses. These figures make it graphically clear that wilderness is not a scarce resource in the State of Washington. It would be more accurate to say that Federal land available for a full range of forest based, multiple-use activities is really the scarce resource and as demands for nonwilderness multiple-uses of the National Forests increase in the future this category of land will become even more limited.

DEPARTMENT OF AGRICULTURE RECOMMENDATIONS

Of the 22 areas proposed for additional wilderness designations in S. 837, all were evaluated by the Second Roadless Area Review and Evaluation (RARE II). All or portions of 10 proposals were recommended for wilderness by RARE II as follows: Buckhorn (43,300 ac.), Colonel Bob (12,200 ac.), Mt. Skokomish (15,900 ac.), Salmo-Priest (27,424 ac.), Tatoosh (13,630 ac.), Brothers (16,113 ac.), Cougar Lakes (129,000 ac.) which is now identified as the William O. Douglas proposal, Glacier Peak Additions (90,000 ac.), Mt. Adams Additions (14,600 ac.), and Pasayten Additions (2,800 ac.). Recommended for further planning were: Goat Rocks Additions (23,870 ac.), Glacier View (3010 ac.), part of Tatoosh (3470 ac.), Indian Heaven (27,590 ac.), Glacier Peak Addition (57,320 ac.) which is now included as part of the Henry M. Jackson proposal, part of Pasayten Additions (10,200 ac.) and Wonder Mountain (9,468 ac.). The remaining .5 million acres included in the bill were recommended for nonwilderness in RARE II.

In previous testimony on this bill, we supported wilderness for 230,000 acres of the 340,000 acres recommended in RARE II. These recommendations were made to support key additions to the National Wilderness Preservation System in Washington while minimizing the impact to other resource uses in the state, including timber, minerals, and recreation uses not compatable with with wilderness designations such as snowmobiling. Recognizing that Washington is already rich in wilderness, our objective was to assure that a balance between wilderness and other multiple uses in the state was reached.

Even with the our recommendations, which are considerably less than now proposed in the Senate passed bill, the impacts would be great on certain resource interests. For example, with implementation of the RARE II recommendations alone, over 40 million board feet of annual programmed timber harvest would be foregone. Most of the new proposals are in the area of the Cascade Mountains in central Washington which already includes approximately 1,390,000 acres of designated wildernesses and two major National Parks. The critical need is not for additional wilderness in this area, but for land to meet other resource objectives, including forms of recreation not permitted or readily enjoyed in wilderness.

Since taking office, this Administration has supported additions of 5.4 million acres of National Forest System land to the National Wilderness Preservation System nationwide. We do believe, however, that the need for more wilderness must be balanced with society's need for other resources which would be limited or precluded by wilderness designation. This requires a case-by-case evaluation of the wilderness characteristics of a roadless area, the existence of other high quality wilderness areas in the surrounding region, the value of the area for uses which would be limited or precluded by wilderness designation, and other considerations.

We recognize the effort that has been made by the Washington delegation and know that they sought to reduce the impact of S. 837 on nonwilderness resource uses. Even so, the impact of designating over 1 million acres of wilderness will have permanent adverse impacts on these uses, even in a resource rich state such as Washington. Changes in use patterns of the recreating public, changes in anticipated log supplies for local sawmills and availability of the mineral resources are but some of the impacts. Included in the bill are productive forest lands that could contribute an estimated 75-115 million board feet of annual programmed harvest. We recognize that through the considerations that were made by the Washington delegation in developing a compromise and in drawing wilderness boundaries, the impact of many of the proposed wilderness additions on other resource uses has been reduced. The delegation is to be commended for these efforts. There do remain, however, several areas the inclusion of which causes us particular concern. We strongly oppose inclusion of the Clearwater and Norse Peak areas. These two areas alone contribute approximately 13 million board feet of timber annually to local economies which are being adversely affected by other wilderness designations nearby.

Likewise, we are strongly opposed to the decision to include very small portions of two other wildernesses that would result in unnecessarilly high transportation costs in managing adjacent nonwilderness land. The first of these is the inclusion of the Deer Pass area in the Boulder River proposal. We do not agree with designation of the Boulder River wilderness overall, but to include the small area around Deer Pass to preclude possible connection of a road that would not have any affect upon management of the adjacent area as wilderness is not justifiable. The second example is in the Wallace Creek area of the Mt. Baker wilderness proposal, where future road costs could be reduced by nearly $400,000 if a small exclusion were made from the present proposal. There are several other smaller adjustments in boundaries that we believe should be made and have provided these suggestions to the Committee. We strongly recommend amendments be made to delete the 14 thousand acre Clearwater wilderness proposal, the 51 thousand acre Norse Peak wilderness proposal, 240 acres of the 49,000 acre Boulder River wilderness proposal, and 100 acres of the 118 thousand acre Mt. Baker wilderness proposal. The Administration opposes S. 837 unless these particular areas are deleted from the bill.

Moving to other aspects of the bill, we support the inclusion of the compromise release and sufficiency language in the bill and add that we are pleased that this issue has been resolved.

We do not oppose the designations for either the Mt. Baker National Recreation Area or the North Cascades Scenic Highway. Both designations have been made in a spirit to protect and manage recreation and scenic values which we believe should be protected. We believe such values can be and have been adequately protected without this special designation.

Summary

The recommendations contained in the RARE II Final Environmental Impact Statement were carefully arrived at in seeking a balance among the various competing land use objectives for the areas considered in the State of Washington. Even though there is no sound basis for discarding those recommendations, we would not oppose S. 837 if it is amended as recommended to exclude from wilderness designation those areas previously discussed.

Mr. Chairman, this completes my statement. I would be happy to respond to your questions.

SIERRA
CLUB

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TESTIMONY

OF

TIM MAHONEY

Washington Representative

Sierra Club

on S.837

Washington State Wilderness Act
Before the
Subcommittee on Public Lands and National Parks
June 7, 1984

Mr. Chairman, members of the Subcommittee, I am Tim Mahoney the Washington Representative of the Sierra Club. I am pleased to testify before you today on S.837, the Washington State Wilderness Bill.

The Sierra Club is extremely pleased that S.837 contains excellent wilderness proposals for the Cougar Lakes (now called William O. Douglas and Norse Peak) and Boulder River areas which have been subject of hearings before this committee in the past. We are also pleased at the designation of Mt. Baker, Indian Heaven, Lake Chelan-Sawtooth, Clearwater, Salmo-Priest and Henry M. Jackson Wilderness in particular which reflect long standing conservationist proposals. The Juniper Dunes area would be Washington's first BLM wilderness in a state which has a tiny amount of elibible BLM wilderness land.

Most importantly, the Washington delegation supported the 1980 compromise "release" language which would allow our members to work with the Forest Service to protect deserving wild lands in the future. The bipartisan support for this most important provision helped pave the way for the ultimate resolution of the "release" issue between the House and Senate leadership. We are grateful to the Washington delegation and of course, to you, Mr. Chairman, for protecting some multiple use options on those lands not designated as wilderness by this most important provision.

S.837 is a consensus bill among the Members of the delegation. Therefore, it should not surprise the subcommittee that there are provisions - and some omissions - in the bill and its legislative history - that are disappointing and that we would like to continue to work to see them improved.

We feel it important to note that legislation fails to protect one of the states key wilderness proposals. Parts of many of our proposals were left on the cutting room floor including many of the important lowland valleys in the west side of the state. But more importantly, we believe that the delegation has overlooked the designation of roadless lands in the Kettle Range as wilderness.

The Sierra Club supports the 80,000 acre proposal of the Kettle Range Conservation Group. Their proposal would provide for an ecologically diverse wilderness complex. The area contains stands of old growth ponderosa pine and is the home of numerous wildlife species such as black bear and mule deer. The deer populations are the highest in the state. It would provide roadless recreation lands for the surrounding communties which would be a boon for developing a tourism related economy. Public hearings have demonstrated strong local support for the proposal.

While we support S. 837 as passed by the Senate, we believe that the Committee should allow the question of possible wilderness designation for the Kettle Range to remain open. We believe that the case of such designation is strong and would like to make such a case in the years ahead.

The Senate bill would remove from statutory protection as wilderness approximately 800 acres of the existing Goat Rocks Wilderness Area that was designated in 1964. We strongly oppose this provision as did the vast majority of the witnesses who spoke on the question at the hearings held by the Senate in Washington State. The Wilderness Act provides procedures for the consideration of of such deletions. Section 3(e) instructs the Secretary of Agriculture to hold public hearings on any modification or adjustment of any wilderness boundary; make a recommendation on the issue to the President accompaned by a map and description of the area. The President is then to make a recomendation and formally submit it to the House and the Senate.

These proposed deletions have never been subjected to this process. The Forest Service has never formally studied or made any recommendation concerning it. It was strongly opposed in the only hearings ever held on the subject and the proposal that had been discussed at that hearing was withdrawn earlier in the process leading to this bill.

We oppose the directive in the Senate Committee report that directs the Secretary of Agriculture to utilize the significant potential for ski development. We believe that an decision to utilize this potential should be made by the Forest Service only after careful consideration of the area for other uses without prejudging the acceptability of intensive ski development. We do not believe that these directives are born out by the record.

In 1980 this committee approved legislation to designate the segment of the Dosewallips River downstream from the boundary of Olympic National Park to the eastern boundary of Olympic National Forest as a "instant" wild and scenic river which would prevent the study and siting of water projects on the segment. This bill later passed the House and in a slightly different form passed the Senate during the post- election session. Because of differences between the House and Senate versions on other provisions no final legislation was sent to the President. We continue to support this segment of the river as a component of the wild and scenic river system. The Senate Committee report makes special provision to allow the study and possible construction of a dam on this important anadromous fisheries stream. We urge the Committee to remove this reference and protect this stretch of the Dosewallips as a wild river.

Thank you for this opportunity to testify.

TESTIMONY PRESENTED BEFORE THE U.S.HOUSE OF REPRESENTATIVES PUBLIC LANDS SUBCOMMITTEE

HONORABLE JOHN SEIBERLING,CHAIRMAN

Washington State Wilderness Bill Hearing
June 7, 1984

On Behalf of the Kettle Range Wilderness

Presented by Joann Marshall

I would like to thank the members of this subcommittee for the opportunity to express my views. Please include this statement in the written record of this hearing.

My name is Joann Marshall. I live with my husband and two young sons near Republic, Washington, in a house looking out at the Kettle Range Mountains. I am an educator working with preschool children, their parents and emotionally disturbed adults. In addition, I operate a small part-time business. I am presenting this testimony on behalf of the Kettle Range Conservation Group.

I am here today to express thanks and to offer recognition to the members of the Washington delegation for their many arduous hours of work in putting together a Washington Wilderness bill. It is very gratifying to know that areas in various parts of the state will be protected in some part. At first what seemed like an impossible task, balancing conservationists and industry interests, did come into being with years of compromise, give and take in forming an eventual bill.

Although a Washington Wilderness bill gives cause for celebration, the many supporters of a Kettle Range Wilderness feel a bitter-sweet victory. After eight years, thousands of hours of contacting and attempting to work with legislators, not one acre of Kettle Range was protected. From an initial proposal in 1977 of 120,000 acres, the last Kettle Range Wilderness proposal discussed included roughly 40,000 acres- one third of the original request. Of the 40,000 acres approximately 28,000 of those were in previously designated limited access. The last proposal essentially being a portion of the Kettle Range ridge with four limited adjoining drainage areas. In good faith, those feeling the importance of protecting some part of the Kettle Range took time, energy and money away from their families as well as time away from work (such as myself in traveling to this hearing) to write letters, compose maps, telephone, attend meetings and all the countless tasks involved in attending to such an issue. Eight years spent in working together with opponents and legislators to develop some workable plan. Kettle Range supporters have given their all for those eight long years in an effort to

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reach a compromise. In a Washington Wilderness bill with no Kettle Range acres protected, Kettle Range supporters have read the message that their years, days and hours of sacrifice and hard work have been ignored-a painful and disillusioning conclusion.

During the past several years the Kettle Range Conservation Group has sponsored many projects to encourage use of the Kettle Range, such as our cross country ski trail trips, ski clinics and hikes in addition to producing a detailed trail map. All of these projects were highly successful drawing as many as 100 people from various parts of the state and Canada. These projects served two purposes: 1) to attract tourists/recreationists to the area contributing to the local economy and 2) to demonstrate that Kettle Range Wilderness and economic well-being can go hand in hand. These efforts were directed, again, in good faith, towards solving some of the problems feared in designating part of the Kettle Range as wilderness. In spite of the economic success demonstrated in the potential recreation industry in a wilderness, in spite of the desperate need for a more diverse economy locally which relies on more than the timber and mining industries and expanding recreation potential with a wilderness area, not one acre ofKettle Range was protected. Kettle Range supporters across the state were, again, very pleased that a consensus was reached resulting in a Washington Wilderness bill but at the same time were shocked and deeply saddened that not even a small part of the Kettle Range was included.

Descriptions of and statistics regarding a Kettle Range Wilderness have been presented over the years to various legislators several times. I addressed this subcommittee in May of 1931 in addition to Gary More's addressing the Senate field hearings in Spokane, June 1983 added to all the meetings with legislators in which the Kettle Range was described in great detail. At the risk of repeating a few of those details I will offer these observations of the area. This region is unique in that it is a sudden green surprise when driving up into the northeastern part of Washington state out of the arid and flat Columbia basin. Gentle rolling terrain, highly accessible, interspersed with alpine meadows filled with wildflowers-the Belcher area wildlife corridor where one might spot a cougar or small herd of mule deer-Hall Creek area lined with craggy rocks, where one might site a bald or golden eagles' nest- Thirteenmile, a truly unique area with old growth pine inhabited by pine marten and spotted owl. These are all characteristics of a wonderfully diverse yet very fragile ecosystem.

The Kettle Range is unique with yet unspoiled areas which deserve protection. In the region lying between the Cascades and the Idaho border there is no area of this nature. Establishing a Kettle Range Wilderness could enhance the local tourism and recreation industry in addition to preserving a small part of this natural treasure for current and future generations.

We, the supporters of a Kettle Range Wilderness Area, ask that it be given consideration, once again.

Republic
KETTLE RANGE
Seattle
Spokane

KETTLE RANGE

A WILDERNESS BREWING

DESCRIPTION

- Geologically the oldest mountain range west of the Rockies
- Semi-arid forest, source of four critical watersheds: San Poil & Kettle Rivers, 13 Mile and Hall Creek Drainages.
- Complex mosaic of yellow pine parklands, grassy meadows, fir and larch forests, lodgepole pine thickets
- Windswept ridges and remote mountain valleys surrounded by peaks rising to elevations of 6,000 -7,000 feet. Vistas of Idaho's Selkirk mountains to the east & the Cascade range to the west.

RECREATION

- Easily accessible from 5,600 foot high Sherman Pass on State Highway 20 - 2½ hours northwest of Spokane.
- Excellent hunting and fishing with the highest deer population in the State.
- Tens of miles of ski trails for novice and expert Cross Country Skiers
- Kettle Crest Trail included in National Recreational and Pacific Northwest Trail systems.

TIMBER

- Colville National Forest capable of increased timber harvests and wilderness -due to unique 'young growth' high potential timber yield.
- High reforestation costs with limited success in areas above 5,000 foot level (60% of proposal)
- 42% of proposed wilderness area has marginal timber potential

GRAZING

- *Continued leasing and grazing management for protection of the ranching economy*

WATER QUALITY/ECOSYSTEMS

- Designation by Forest Service of 3 unique plant habitat areas as Research Natural Areas
  - Thirteen Mile Ponds - Douglas fir/snowberry/pine grass community
  - Fire Mountain - Old growth Ponderosa pine/pine grass/fir
  - North Fork O'Brien Creek - Subalpine fir/huckleberry/beargrass community
- Dry climatic conditions in shadow of Cascade Range - 15 inches annual precipitation
- Headwaters of most important fishery resources on Colville Indian Reservation and surrounding area
- Rock cairns built by Columbia Plateau Indians seeking enlightenment on top of White Mountain and Thirteen Mile Mountain - submitted to National Register of Historic Places.

Kettle Range Conservation Group P. O. Box 150, Republic, WA 99166, (509) 775-3888

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TIMBER SUPPLY ANALYSIS FOR THE IMPACT OF A KETTLE RANGE WILDERNESS ON THE NORTHEASTERN WASHINGTON TIMBER ECONOMY

Prepared for the
House Subcommittee on Public Lands and National Parks
Committee on Interior and Insular Affairs

June 7, 1984

By Dr. Richard Rutz and Mr. Donald Parks
Washington Wilderness Coalition

Summary

The Kettle Range Wilderness proposal includes an insignificant portion of the forest land base of the twelve eastern counties comprising the Inland Empire. If the entire Kettle Range Wilderness proposal were to be implemented, the Colville National Forest timber harvests would not be reduced from current levels. Since Northeast Washington (comprised of Ferry, Stevens, Pend Oreille, and Spokane Counties) mills are in total about 20% dependent upon the Colville National Forest for logs, and no National Forest harvest reductions are projected, local mills would not suffer any log flow reductions as a result of a Kettle Range Wilderness.

Current Timber Resource Situation in the Inland Empire

The Inland empire includes a large area of commercial timber land ("CTL"), nearly 4 million acres, that is concentrated primarily in Ferry, Stevens, and Pend Oreille Counties. The passage of the Washington Wilderness Act of 1984 would do little toalter the present heavy balance of CTL acres that are already allocated to development. Accounting for the implementation of the Salmo Priest Wilderness as proposed, nearly 96% of all Inland Empire CTL would remain available for roading and timber harvest.[1] See Table 1.

Current Timber Harvest Levels in the Northern Counties of the Inland Empire

The total volume of timber harested annually from Ferry, Stevens, Pend Oreille, Lincoln, and Spokane Counties averaged 349 million board feet ("mmbf") for the years 1976 thru 1982. Timber harvests from these counties are important because these logs form the primary source of round wood for Northeast Washington mills.[2] See Table 2.

Of the total harvest, private lands supplied 53%, BIA lands supplied 21%, and National Forest Lands supplied 20% of the volume. State and other public lands provided the reamining 6% of the log volume.[3] See Table 2.

The Colville and Idaho Panhandle (in Washington) National Forests provided and average actual harvest of 68.2 mmbf annually.[4] However, the Colville National Forest's Annual Allowable Sale Quantity, while allowing for passage of the Washington Wilderness Act of 1984, is estimated to be 111.8 mmbf (115.6-3.8) based upon Timber Management Plan Amendment No. 4, Dated May 27, 1980.[5]

The Idaho Panhandle National Forest programmed harvest for lands within Washington is estimated to be about 7.0 mmbf.[6]

The annual average sell volume for the Colville National Forest alone for the years 1976 through 1980 was 82.2 mmbf, while the average volume cut for these years was 73.4 mmbf.[7] The DNR data for the years 1981 and 1982 shows National Forest harvests dropping substantially when compared to the earlier portion of the period. However, even during better economic times, The Colville National Forest has sold substantially less than its Timber Management Plan would have allowed by approximately 30 mmbf.

Log Flows To Inland Empire Mills

Timber harvests from the Inland Empire of Washington supported the operation of 45 mills in 1980, Two-thirds of which produced lumber. These mills consumed an average annual total of 337 mmbf for the even numbered years 1976 through 1980. For this same period, mills in Ferry, Stevens, Pend Oreille and Spokane Counties consumed 290 mmbf annually.[8] See Table 3. During this period the Colville National Forest supplied about 73 mmbf of logs to Washington mills, with about 90% of this volume going to Inland Empire mills. About 90% of Colville National forest logs are processed as lumber, with most of the remainder going to plywood and veneer mills.[9] See Table 4.

All Inland Empire mills have an overall dependency on the Colville National Forest of 19%, while Northeast Washington mills are 22% dependent upon this forest for logs. The Idaho Panhandle National Forest supplies about 1% of the log volume consumed by all Inland Empire mills.[10]

Kettle Range Wilderness Proposal Timber Resource

The Kettle range Wilderness proposal includes approximately 69,000 CTL acres, of which 28,100 acres of CTL are located within the limited Access Area. The USFS RAREII data base indicates that the potential yield contribution of the Kettle Range Wilderness proposeal is about 12.3 mmbf.[11]

Impacts of a Kettle Range Wilderness Proposal

The currently available CTL acres within the Kettle Range Wilderness proposal represents only about 1% of the Inland Empire CTL base and would still leave about 95% of all CTL potentially available for timber management.

Because, (1) the area of the proposed Kettle Range Wilderness contributes only about 12.3 mmbf/year to the Colville National Forest cut; (2) the Colville is UNDERSELLING its Annual Allowable Sale Quantity by about 30 mmbf; (3) the Colville has a large sold, but uncut backlog of timber sales, and (4) the Washington Wilderness Act's Salmo-Priest Wilderness would have contributed no more than 3.8 mmbf to the potential yield, it is evident that no harvest fall down can possibly be predicted. If the Kettle Range Wilderness were to be added to the current wilderness legislation, Colville National Forest harvest levels could still expand to about the 100 mmbf level. A Kettle Range Wilderness only limits the extent of future harvest increases.

Since no National Forest timber harvest reductions are projected, no negative impact on local mills can be projected.

		Area (1000X acres)	Per- cent
Available Commercial Timber Land		3808.4	95.6
Withdrawn Commercial Timber Land:			
Wenaha-Tucannon Wilderness	72.1		
Salmo-Priest Wilderness)proposed)	33.4		
Kettle Range Limited Access Area	28.1		
Other Federal and Nonfederal Lands	43.0		
Total Withdrawals		176.6	4.4
Total Commercial Timber Land		3985.0	100.0

TABLE 1. Commercial Timber Land Allocations for the Inland Empire Area of Washington, 1984[12]

County	mmbf--Scribner scale					
	Private	State	Other Public	National Forest	BIA	Total
Ferry	25.3	.7	-	25.9	63.2	115.1
Stevens	90.3	12.7	2.4	16.5	11.2	133.1
Pend Oreille	37.8	1.1	.8	25.8	-	65.5
Lincoln	4.5	.4	0	0	0	4.9
Spokane	28.8	1.4	.4	0	0	30.6
	186.7	16.3	3.6	68.2	74.4	349.2

TABLE 2. Annual Timber Harvest in Ferry, Stevens, Pend Oreille, Lincoln, and Spokane Counties By Ownership for the Years 1976-1982[13]
note: totals may not add due to round-off error

	1976	1978	1980	Average 1976-1980
Area of Use:				
All Mills--Inland Empire*	366.7	334.7	309.4	336.9
All Mills--N.E. Washington**	323.7	279.9	265.7	289.8

TABLE 3. Log Flows To Inland Empire Mills--All Ownerships[14]
* not counting Lincoln, Adams, or Franklin Counties
** Ferry, Stevens, Pend Oreille, and Spokane Counties

	1976	1978	1980	Average 1976-1980
Economic Area of Use:				
Inland Empire*	66.2	87.8	40.8	64.9
Central Washington**	6.0	11.2	6.0	7.7
Total	72.2	99.0	46.8	72.6
Industry of Use:				
Lumber	65.5	86.7	39.5	63.9
Veneer and Plywood	6.0	11.2	5.9	7.7
Other	.7	1.1	1.4	1.0
Total	72.2	99.0	46.8	72.6

TABLE 4. Log Flows From the Colville National Forest[15]
* excluding Lincoln, Adams, and Franklin Counties
** includes Okanogan and Lincoln Counties

NOTES

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1. United States Forest Service, Bulletin PNW-50, "The Timber Resources of the Inland Empire Area, Washington", 1974; and, "Forest Service Data to Support Washington Wilderness Act of 1984 (S.837)".

2. Department of Natural Resources, "Washington Mill Survey for the years 1976, 1978, & 1980".

3. DNR, note 2.

4. DNR, note 2.

5. Forest Service Data, note 1.

6. Letter, W.E. Orr to D.L. Parks, Subject: Idaho Panhandle National Forest Timber Data for Washington State, November 26, 1980.

7. Letter K.J. Link to D.L. Parks, Subject: Colville National Forest Timber Data, November 26, 1980.

8. DNR, note 2.

9. DNR, note 2.

10. DNR, note 2.

11. United States Forest Service RARE II data base. Repeating Group 30.

12. USFS, note 1, and other data.

13. Department of Natural Resources, Timber Harvest Reports 1976-1982.

14. DNR, note 2.

15. DNR, note 2.

TESTIMONY OF GAYLE MCKELLAR

BEFORE THE HOUSE SUBCOMMITTEE ON PUBLIC LANDS ON THE WASHINGTON WILDERNESS ACT OF 1984 (S.B. 837)

JUNE 7, 1984

Mr. Chairman and other members of the Subcommittee:

Thank you for the opportunity to speak before you today concerning the Washington Wilderness Act of 1984. My name is Gayle McKellar and I am representing the Colville Valley Environmental Council. My husband and I have lived in Colville for almost fourteen years, and have enjoyed hiking and camping in the Kettle Range and Salmo-Priest since we moved to Northeastern Washington. I have been actively involved in trying to gain wilderness status for these areas for many years. I testified before this subcommittee in May of 1981 and at the Senate hearings in June of 1983. There have been numerous meetings, many letters written, and long hours of research in between, but at least now significant progress has been made in resolving the wilderness issue in Washington State. I would like to compliment our Washington delegation on the wilderness bill as a whole statewide, but we in Eastern Washington feel a great disappointment that the Kettle Range was excluded entirely from the bill.

Before I talk further about the Washington Bill, I would briefly like to mention the Salmo-Priest in relation to the upcoming hearings on the Idaho Wilderness Bill. The Colville Valley Environmental Council is particularly appreciative of the fact that the Shedroof Divide was added to the Washington Bill. It provides needed habitat for both the endangered caribou herd and the grizzly. The current study on the caribou has found that some of the herd has been actively using the Shedroof Divide area this past year. Unfortunately, the Idaho Wilder-

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ness Bill in its present form does not include the contiguous portion of the Shedroof Divide within Idaho. Caribou and grizzly bears will not be aware of state lines in their wanderings and this critical habitat needs to be protected. I hope that this subcommittee will consider the importance of adding approximately 3500 acres to the Idaho Bill to match the corresponding wilderness additions on the Shedroof Divide in Washington.

As I stated, during the past several years I have spent a lot of time and have done a great deal of research to learn about the Colville Forest. I have worked with Forest Service employees on forest planning and feel that I have a fairly comprehensive understanding of the Colville Forest including the recreational values, timber resources, and the habitat needs of wildlife.

In the past several years the demand for timber has been severely reduced due to economic factors. In fact in the depressed year of 1982 while the authorized cut on the forest was 115 MMBF only 77.3 MMBF were sold and 44.[illegible] MMBF were actually cut. Throughout the state there have also been defaults on prior timber contracts in the past few years. I am enclosing an article on defaults on state lands as an example for the hearing record.

There will probably always be high unemployment in the timber industry in N.E. Washington due to seasonal layoffs. Other mill closures in recent years have been due to economic factors rather than any lack of timber supply. It does not make economic sense to build more expensive roads needed to cut the remote roadless areas such as the Thirteenmile Basin in the Kettle Range when the timber is available elsewhere on the Colville Forest. With current depressed timber prices, increased road costs ultimately lead to more deficit timber sales.

According to Forest Service RPA data available for the Colville Forest, there could be an increase of as much as 150% in the timber harvested on the forest in the next 50 years even with 42,000 acres in the Salmo-Priest designated as wilderness, and also without harvesting any of the present roadless areas within the Kettle Range wilderness proposal.

Due to fires which burned sixty percent of the Colville Forest early in the century, much of the timber is just now maturing and becoming available for harvest. In some areas of the forest, those fires caused 33,000-40,000 acres of potentially productive lands to be overstocked with thick growths of timber with little merchantable volume. Early this year, I sent letters to different Congressmen and local officials using Forest Service data to show that conversion of these overstocked stands could increase production on the forest by as much as 450 MMBF in the next 50 years. I am enclosing this data to be included in the hearing record.

The current Washington Wilderness bill also excluded approximately twenty thousand acres of the conservationists' proposal for the Salmo-Priest. These areas such as the Uncus Gulch and Threemile contain proposed timber sales which should also help meet demands for timber. In other words, the potential for increased timber harvest on the Colville Forest can be accomplished through improved management techniques on the remainder of the forest without destroying the roadless areas left in the Kettle Range.

Before the Senate hearings in Spokane last June I spent several days walking through Colville's business district and personally talked to businessmen about protecting the proposed Kettle Range and Salmo-Priest areas through wilderness designation. At that time thirty-eight owners of Colville businesses signed endorsements to that effect.

The depressed timber industry has had a devastating effect on many Colville businesses over the past few years, and many of the businessmen I talked with felt that protecting these two areas would be beneficial to the future economy of our area. Our local communities are trying to increase tourism and attract new businesses to our area to diversify the economy. Two wilderness areas located within an hours drive from Colville would advertise the beauty and recreation potential of Northeastern Washington. Some studies show that wilderness recreation has increased as much as 320% in the past ten years. In order to plan for future wilderness recreation needs, more than the 42,000 acres in the Salmo-Priest will be necessary to meet the demands from the large nearby population center of Spokane. We can preserve the roadless status of the Kettle Range, too, and still have a healthy timber industry in N.E. Washington if the economy and interest rates cooperate.

The Kettle Range is an accessible gentle wilderness and offers opportunities for hiking, horseback riding, and cross country skiing. I have personally participated in all of those activities in the Kettle Range, and hope that these wilderness experiences will be available there for my children in the future. Last Christmas my eight year old son wrote a paper describing his family. It was rather brief and said, "My father is a dentist, my sister likes dolls, and my mother saves Wilderness." I guess that is the true reason that I am here before you today. It is because of my love of the wilderness experiences I have had throughout my life and the hope that I can help ensure that my own children will be able to have those experiences where we live in N.E. Washington. **I know that this is a consensus bill but the Kettle Range is worthy of your consideration.**

Gayle Mckellar, President
Colville Valley Environmental Council
Rt. 2, Box 12
Colville, WA 99114

Dear Colville Businessmen or Organizational Members;

The following resolution of endorsement is offered in support of efforts to include the conservationist's proposal for the Salmo-Priest and Kettle Range Wilderness areas in a Washington Wilderness Bill.

Whereas the Salmo-Priest and Kettle range areas offer outstanding recreational opportunities including; camping, hiking, skiing, hunting, and fishing;

Whereas the Salmo-Priest and Kettle Range proposed wilderness areas are within close proximity of Colville and also the Spokane population center;

Whereas the proposed wilderness areas would protect watersheds and wildlife habitat including that of the threatened and endangered Mountain Caribou and Grizzly Bear in the Salmo-Priest;

Whereas the proximity of these two areas to Colville and the wilderness values and back country recreation opportunities may enhance the attractiveness of the Colville area to tourists and new businesses;

Therefore, we call upon Members of Congress to designate the conservationist's wilderness proposals for the Kettle Range and the Salmo-Priest including the Crowell Mtn./Uncas Gulch and Lola/Mankato additions for inclusion in a Washington Wilderness Bill.

Dated this ____ of______, 1983

by ______________________________

of ______________________________

Example of endorsement signed by owners of 38 Colville businesses before the Senate hearings in June, 1983.

COLVILLE VALLEY ENVIRONMENTAL COUNCIL
A Non-Profit Corporation
[redacted]
COLVILLE, WASHINGTON 99114

Feb 6, 1984

CONVERSION of OVER-Stocked Stands / Colville NATIONAL Forest

I. There are over 33,000 acres of over-stocked stands on the CNF. Cost estimates are for converting only 15,895 acres in the first decade

II. The Forest Service estimates a growth potential of 22,000 board feet / acre in 50 yrs which could mean a potential of approximately 350 million board feet (349.69 mmBF) on these otherwise unproductive acres

III 15,895 acres x 22,000 board feet / acre x $150/ thousand (based on 1982 $$) would give approx. net value of the timber in 50 yrs. (includes road costs, etc.)
– Value of $52 million – ($1982 $$)

III. Conversion of 4,306 acres of brush fields approx future value (net) $14 million and potential 94.732 mmBF timber

V. $19,476,900 spent to convert over-stocked stands and $2,747,000 to restock brushfields in the first DECADE would generate even more $$ spent in local economy

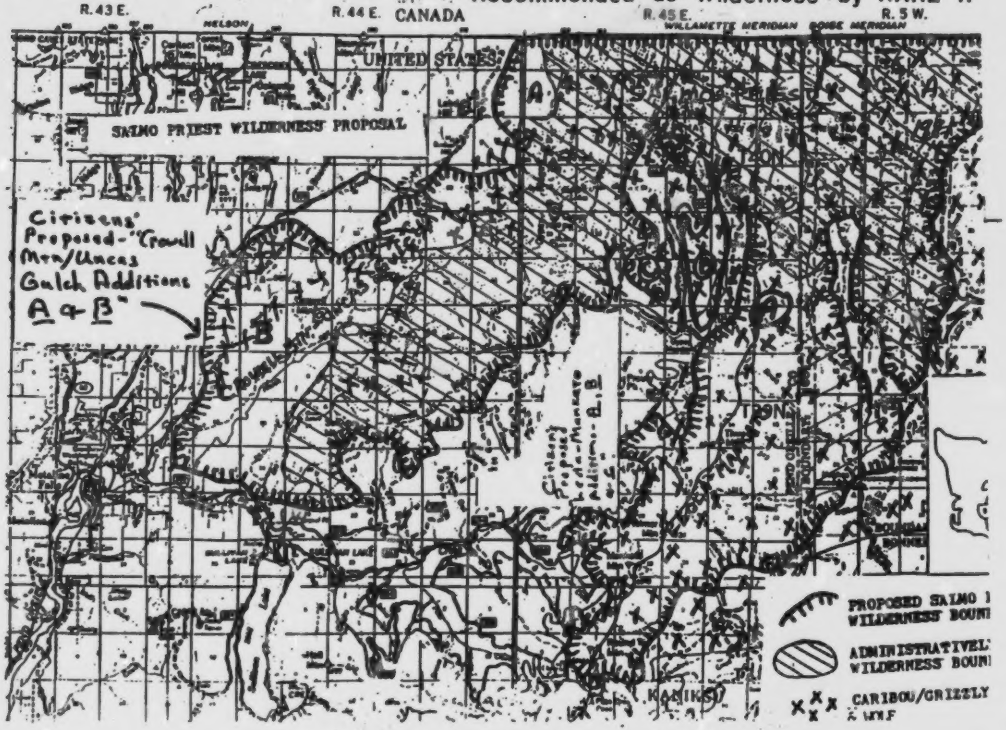
A. Forest Service personnel would do ① stand analysis and ② Cultural inventory

B. Rest of project would be contract work

VI. Costs include 33% markup for overhead costs

IDAHO Caribou habitat / Shedroof

Recommended as Wilderness by RARE II


R. 43 E.
NELSON
R. 44 E.
CANADA
R. 45 E.
R. 5 W.
WILLAMETTE MERIDIAN
BOISE MERIDIAN
UNITED STATES
SALMO PRIEST WILDERNESS PROPOSAL
Citizens' Proposed- "Crowell Mtn/Uncas Gulch Additions A & B"
A
B
Citizens' Proposed Leclerc-Mankato Additions - A, B
KANIKSU
PROPOSED SALMO I
WILDERNESS BOUN
ADMINISTRATIVEL
WILDERNESS BOUN
CARIBOU/GRIZZLY
& WOLF

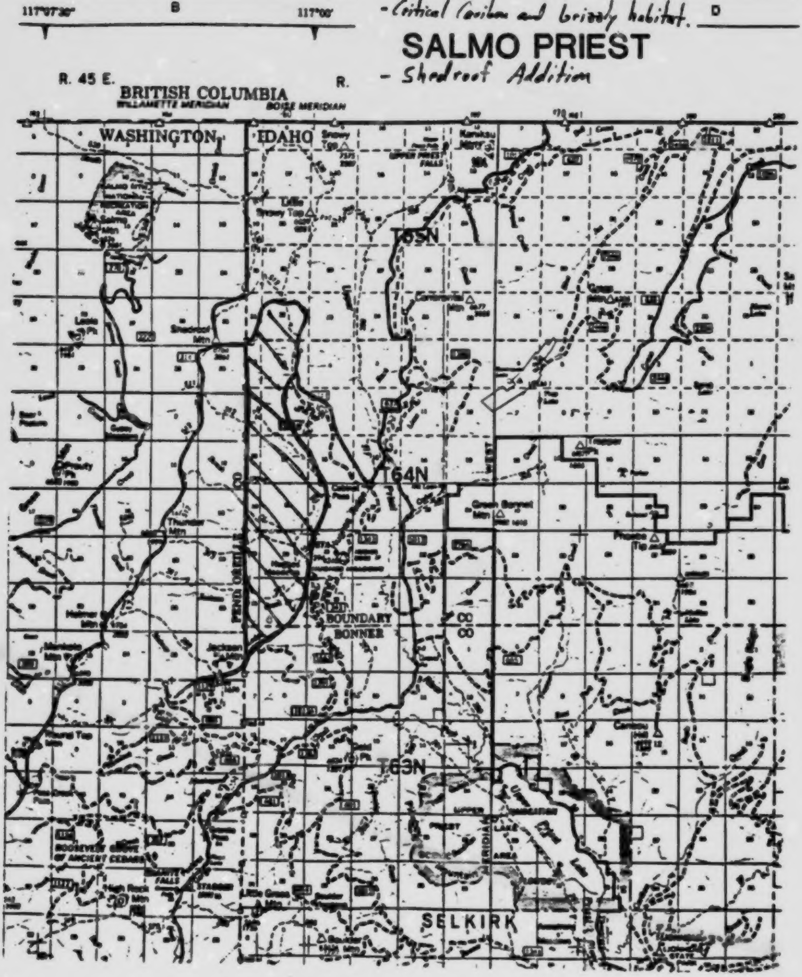
556

- The Washington Wilderness bill includes the Washington side of the Shedroof Divide as part of the Salmo-Priest Wilderness.

- Critical Caribou and grizzly habitat.

SALMO PRIEST

- Shedroof Addition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BRITISH COLUMBIA
WILLAMETTE MERIDIAN
BOISE MERIDIAN
WASHINGTON
IDAHO
Snowy Top
Little Snowy Top
UPPER PRIEST FALLS
Shedroof Mtn
T65N
T64N
T63N
Thunder Mtn
Helmer Mtn
Jackson
Green Bonnet Mtn
Phoebe Tip
PEND OREILLE
BOUNDARY
BONNER
ROOSEVELT GROVE OF ANCIENT CEDARS
High Rock Mtn
PRIEST
LAKE
SELKIRK

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KETTLE RANGE
Seattle
Spokane

ALLIANCE to SAVE the KETTLE RANGE

W. 502 Sound, Spokane, WA 99204

STEERING COMMITTEE

Tom Campion, Seattle
Gayle McKellar, Colville
Marie Swigard, Spokane
Norm Winn, Seattle
Denise Zipperer, Republic

WASHINGTON STATE WILDERNESS ACT OF 1984
HEARING BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS
HOUSE INTERIOR AND INSULAR AFFAIRS COMMITTEE
JUNE 7, 1984

The Washington State Wilderness Act of 1984 is a major landmark in the long history of Wilderness preservation for our state. The Act will protect significant wild areas from Idaho to the Pacific, which conservationists, sportsmen's groups, Tribal Councils, businesses, and outdoor recreation organizations have advocated for protection for many years.

A glaring omission from the Act, however, is the Kettle Range of Northeastern Washington. The Kettle Range is a series of rolling peaks and grassy, windswept ridges, surrounded by a diverse conifer forest. It provides countless opportunities for wilderness recreation and hunting, as well as a much needed watershed in the dry part of the state. This prime area is a transitional ecosystem between the Rocky Mountains and the Cascade Range which is not represented in any protected status in Washington. Its key wildlife habitat, scenic beauty and critical watershed values continue to be

Admiralty Audubon Society: Port Townsend
Alpine Lakes Protection Society: Seattle
Bear Paw Foresters: Seattle
Black Hills Audubon: Olympia
Blue Mountain Audubon Society: Walla Walla
Boeing Employees Alpine Society: Seattle
Boulder River Protection Association: Everett
Cascadians: Yakima
Colville Valley Environmental Council: Colville
Cougar Lakes Wilderness Alliance: Yakima
Early Winters, Inc.: Seattle
East Lake Washington Audubon Society: Bellevue
Federation of Western Outdoor Clubs: Spokane
Friends of the Clearwater: Sumner
Friends of the Earth, Eastern Washington Branch: Spokane
Friends of Glacier Peak: Everett

Friends of the Juniper Forest: Walla Walla
Glacier Peak Wilderness Watch: Wenatchee
Greenpeace: Seattle
Hood Canal Environmental Council: Seabeck
Intermountain Alpine Club: Richland
Kettle Range Conservation Group: Republic
Knoll Lumber & Hardware, Inc.: Kenmore
Mount Baker Wilderness Association: Bellingham
Mount Saint Helens Hiking Club: Kelso
North Cascades Audubon Society: Bellingham
North Face, Inc.: Seattle
Northwest Trails Association: Lynnwood
Okanogan Wilderness League: Carlton
Olympic Peninsula Audubon Society: Sequim
Palouse Audubon Society: Pullman
Pilchuck Audubon Society: Everett
Salmo-Priest Wilderness Defense Fund: Spokane

San Juan Islands Audubon Society: Friday Harbor
Seattle Audubon Society: Seattle
Sierra Club, Northern Rockies Chapter: Spokane
Sierra Club, Cascade Chapter: Seattle
Skagit Alpine Club: Mt. Vernon
Skagit Valley Audubon Society: LaConner
Tahoma Audubon Society: Tacoma
The Wilderness Society: Seattle
Washington Environmental Council: Seattle
Washington Native Plant Society: Seattle
Washington Water Watch: Seattle
Washington Wilderness Coalition: Seattle
Wenatchee Outdoor Club: Wenatchee
Wilderness: Alaska/Mexico: Hunters
Willapa Hills Audubon Society: Longview
Yakima Valley Audubon: Yakima

a vital yet overlooked component of the wilderness lands of Washington.

The Alliance to Save the Kettle Range brings together 49 of the conservation and associated groups and businesses in Washington which are concerned and distressed about the omission of the Kettle Range Wilderness from the bill. The groups comprising the Alliance regard the Kettle Range as being of state-wide, indeed nation-wide, significance, even though many of the groups are locally oriented. In this regard, we intend to continue to work toward the protection of the wilderness, wildlife and watershed values of the Kettle Range.

The Alliance to Save the Kettle Range respectfully urges this Committee and the Members of our delegation to include the Kettle Range in Wilderness designation at the earliest possible time.

MR. IRA L. SPRING
ROBERT W. SPRING

Bob and Ira Spring • photographers

MAIN OFFICE
18819 OLYMPIC VIEW DRIVE
EDMONDS WASHINGTON 98020
(206) 776 4685

June 1, 1984

Congressman Seiberling
Chairman Subcommittee Public Lands
Committee on Interior and Insular Affairs
House Office Building
Washington, D.C. 20515

Dear Congressman Seiberling:

Please add the following statement to the June 6, 1984, Washington Wilderness hearing.

Sincerely,

Ira Spring

Ira L. Spring

SPECIALIZING IN COLOR OF THE PACIFIC NORTHWEST

STATEMENT FOR THE JUNE 6, 1984, WASHINGTON WILDERNESS HEARING
BY IRA L. SPRING, 18819 OLYMPIC VIEW DRIVE, EDMONDS, WASHINGTON 98020

As a professional photographer, a hiker, an environmentalist, and a stockholder in five major timber companies, I compliment the Washington State delegation for creating an excellent Washington Wilderness Bill that preserves a significant number of trails that will benefit hikers and the 1,000 or more people in the state who manufacture and retail backpacking equipment. The bill protects most of our fragile alpine meadows from explcitation and our spectacular scenery which all photographers dearly love. While protecting these valuable resources, the bill has kept almost all of the best and most profitable forest land free for timber harvesting.

However, there were a few crticial areas that were not included in the wilderness bill that should be addressed at a future date. They are:

1. DARK DIVIDE

16 trails were preserved in conservation proposal -- total 94.5 miles

The conservationists had proposed an 84,000-acre Dark Divide Wilderness area in Gifford Pinchot National Forest. All but one of the forested valleys in this area are roaded and logged leaving an octopus-shaped defacto wilderness of "worthless" alpine meadows. "Worthless?" These alpine meadows are "priceless" combinations of flower-covered meadows, picturesque alpine trees, and miles and miles of ridge top views. And what a wilderness adventure this can be with miles of ridge walking and views of Mt. Rainier, Mt. Adams, Goat Rocks, and what is left of Mt. St. Helens. The flowers on the high ridges are an interesting mixture of moist west side plants and dry east side plants. Even if Quartz Creek, the one remaining valley, is logged, the remainig area deserves protection.

2. ENTIAT RIVER
(Glacier Peak Additions)

The first four miles of the popular Entiat River trail into the Glacier Peak Wilderness was left out of the 1984 Wilderness Bill for use by motorcycles. The hikers wilderness experience is sorely diluted on the way to the wilderness boundary by the machines. This is a two-hour hike for most backpackers. Motorcycles cover this distance in five to ten minutes, which means they must run back and fourth three or four times to get an hours recreation, harassing hikers each time they pass. The boundary needs to be moved to the trailhead.

Perhaps the most significant part of the Entiat valley that was left out of the Wilderness Bill is the Mad River hiking area. There are over 80 miles of trail crammed into an area about 6 miles wide by 10 miles long. This is one of the easiest defacto wilderness areas in the Cascades -- a charming bit of alpine forest, meadows, and dotted with a few tiny lakes. Many of these trails have very little elevation gain and are ideal backpacking trails for families with young children. Unfortunately, a past district ranger who loved motorcycles encouraged their use in this area making it difficult for backpacking and downright dangerous for small childern. The 80 miles of trails in this section could give a week of a wilderness experience to a hiking family or a day's entertainment for a motorcyclist. Only a wilderness designation will protect hikers from the harassment of motorcycles.

While neither the Mad River nor the first four miles of the Entiat River trail have spectacular scenery, they both meet all the criteria of a wilderness designation.

3. Chelan-Sawtooth Wilderness

Leaving out the Foggy Dew trail was a mistake as Foggy Dew Creek sorely needs wilderness protection. A seven and a half-mile trail up the Foggy Dew valley leads to Sunrise Lake surrounded by groves of larch and extremely fragile tundra-like meadows. From the lake hikers can continue on to the Chelan Summit trail, hike to nearby Cooney Lakes, or explore other trails in the area. To protect the fragile environment, Sunrise and Cooney Lakes should both be in the wilderness and could be encluded without adding much acreage.

However, of more interest to the hiker, is the 12 miles ridge top access trail to the Chelan-Sawtooth Wilderness and the North Cascades National Park. The trail crosses numerous meadows, patches of alpine trees, and magnificent views east to the farm fields and west into the spectacular peaks of the North Cascades National Park.

Unfortunately, the trail is used by motorcycles which disrupt the wilderness experience. The Chelan Summit trail should be added to the wilderness.

There are two other areas of significance that were left out of the 1984 Wilderness Bill, the Golden Horn area south of Harts Pass and the Kettle Range. The Golden Horn is probably the most rugged bit of land left without protection. A wilderness designation for the Kettle Range would give one little oasis for hikers in the north central part of Washington, surrounded by miles of forest roads and motorcycle trails.

ATTENTION: Ms. Agnew

State of Washington

JOHN SPELLMAN, Governor

OFFICE OF THE GOVERNOR

June 4, 1984

The Honorable John Seiberling, Chairman
Subcommittee on Public Lands and
National Parks
Interior and Insular Affairs Committee
U. S. House of Representatives
Washington, D.C. 20515

Dear Congressman Seiberling:

I would like to join with the members of the Washington State Congressional delegation to express my strong support for the Washington Wilderness Bill, S.837, now before your subcommittee. I have been an active participant in recent discussions concerning wilderness, a very important issue to the citizens of this state. On January 20, 1984, I sent each of our Senators and Congressmen my detailed recommendations for wilderness additions and release of non-wilderness areas. The bill now before you is similar in many respects to my proposal, and I believe this bill represents our best chance to resolve this issue. Resolution serves the needs both for wilderness protection and for intelligent planning for other resource uses on national forest lands.

I congratulate the members of the Washington State delegation for their intense effort in achieving a consensus position on this difficult issue. I also appreciate your statesmanship, Congressman Seiberling, in forging a reasonable compromise on the question of release language. Finally, I want to express my gratitude to you for expediting consideration of the Washington Wilderness Bill in your subcommittee, and I look forward to the bill's enactment into law.

With best wishes,

Sincerely,

John Spellman
Governor

Legislative Building • Olympia, Washington 98504 • (206) 753-6780 • (Scan) 234-6780

THE WILDERNESS SOCIETY

FOUNDED IN 1935

STATEMENT OF JEAN DURNING, NORTHWEST REPRESENTATIVE OF THE WILDERNESS SOCIETY ON S. 837, THE WASHINGTON WILDERNESS ACT BEFORE THE PUBLIC LANDS AND NATIONAL PARKS SUBCOMMITTEE ON JUNE 7, 1984.

I am Jean Durning, Northwest Representative of The Wilderness Society. The Wilderness Society is a non-profit conservation organization, founded in 1935, dedicated to the proper management of public lands and the preservation of wilderness areas. We have a national membership of 105,000 with 2,600 members in Washington State.

The Washington Wilderness Bill is the result of intense and prolonged negotiations by all members of Washington's congressional delegation. This bill adds 1.03 million acres of incomparable wild land to the National Wilderness Preservation System -- which is less than half of the quality wilderness lands in Washington that conservationists had advocated be added to the Wilderness System. Nevertheless, we support this bill, believing that over a million acres of wild land will bequeath a heritage of enormous value to posterity and to the world.

The Wilderness Society has advocated protection for the magnificent Cougar Lakes country for decades and we are delighted that this area will finally be protected. Cougar Lakes now will be known as the Norse Peak Wilderness and (in honor of its most famous proponent) the William O. Douglas Wilderness. We applaud inclusion of the Lake Chelan-Sawtooth, the Salmo-Priest, major portions of the Mt. Baker complex, the Olympic Forest units, and all the other new wildernesses from Juniper Dunes and Indian Heaven to Boulder River. Important additions to four existing wildernesses will help round out those natural

1901 PENNSYLVANIA AVENUE, N.W., WASHINGTON, D.C. 20006
(202) 828-6600

systems. The Henry M. Jackson Wilderness is a fitting tribute to the Senator who for so long was concerned with protecting the natural resources of this nation and of the state of Washington. Because of this legislation, the Clearwater Wilderness -- whose deep evergreen forest is home to rare spotted owls and many other animal species -- will be a treasure forever.

While The Wilderness Society accepts the compromise represented by this amended version of S. 837, we would like to point out several areas about which we are disappointed. We are most concerned that the splendid Kettle Range was completely omitted from wilderness designation. The scenic high ridges and peaks, the pristine meadows and creek basins of the Kettle Range provide excellent hiking, hunting, and cross country skiing. Cougar, lynx, bobcat, bear, wolverines, mule deer, bald and golden eagle and many other species inhabit these wild lands. Hall Creek and other streams are important for fish resources, particularly trout. The area includes historic sites that are part of the religious and cultural heritage of Native Americans. In this high dry country, most timber does not regenerate successfully, and thus most timber harvesting here is equivalent to "timber mining" -- a one-time venture. The largest stand of old growth Ponderosa Pine in eastern Washington, which is in the Thirteen Mile drainage, is threatened if this area is not designated wilderness. We urge that the wildlife, recreational, scenic and historic values of the Kettle Range area be protected by whatever means now seem most appropriate. While the Forest Service is not required to consider wilderness during preparation of the first Forest Plan for this area, the Forest Plan should adequately evaluate the benefits of potential uses other than timber. Many of the roadless areas that did not make it into the Washington Wilderness bill are lower elevation forested valleys, rich in giant old trees; many of these will probably be cut now. Around the Glacier Peak Wilderness, the new Mt. Baker Wilderness and Henry M. Jackson Wilderness, for example, are numerous valleys where silent old growth forests surround dashing mountain streams. Lower elevation lands are particularly important for wildlife and for family hiking. They are more accessible because trails are less steep and the areas are free of snow for a longer season. We are especially concerned about the exclusion of the White Chuck corridor recommended in RARE II, the Troublesome and West Cady Creeks, the lower Noisy and Diobsud Creeks, and many other very special virgin forests of giant trees.

The Washington Wilderness Bill protects many beautiful mountains, glaciers and meadows; we wish it protected more stands of majestic trees that are the hallmark of the Evergreen State.

A major concern of The Wilderness Society is the deletion of some 800 acres from the long existing Goat Rocks Wilderness to benefit a private ski development. We do not believe deletions from wildernesses should be made to benefit commercial enterprises. Such a decision trivializes the long process necessary to win designation status and threatens wilderness elsewhere. We strongly object to this provision of the bill.

Despite these concerns, however, we support the compromise this bill represents and congratulate the Washington delegation for the enormous effort they devoted to this endeavor. We urge the passage of this compromise, S. 837, the Washington Wilderness Act of 1984.

Weyerhaeuser Company

Tacoma, Washington 98477
(206) 924-2345

June 18, 1984

The Honorable John Seiberling
Subcommittee on Public Lands and
National Parks
Room H 812
House Annex 1
Washington DC 20515

Dear Congressman Seilberling:

Please include this letter in the record for the June 7 hearing of the Public Lands subcommittee of House Interior regarding the Washington State Wilderness bill.

Weyerhaeuser Company supports the successful effort by the Washington Congressional delegation to achieve a timely consensus on the Washington Wilderness bill. We hope that its passage will remove the uncertainty of the present situation concerning the future management of our National Forests lands and thereby help to ensure their efficient management and provide wilderness for future generations.

Of particular concern to Weyerhaeuser Company has been the proposed land exchange around the Greenwater Lakes which are adjacent to the proposed Norse Peak wilderness area. We understand the historical importance and the public recreation value of this area as an access route to Norse Peak. Therefore, we have worked diligently with the U.S. Forest Service to reach a balanced land exchange package to include in the Washington Wilderness bill. We support the land exchange language contained in Section 10 of SB 837, and will work expeditiously with the U.S. Forest Service to accomplish this exchange.

The entire delegation, as well as your committee, should be congratulated for seeking a compromise to resolve the long-standing debate on the Washington State Wilderness issue.

Sincerely,

John McMahon

J. P. McMahon
Vice President
Timberlands

JPM:ce25/629/e6

The Mountaineers
300 Third Avenue West • Seattle Washington 98119 • (206) 284-6310

BRANCHES IN TACOMA EVERETT OLYMPIA AND BELLINGHAM

June 7, 1984

The Honorable John Seiberling
House Interior Committee
Subcommittee on Public Lands
U.S. House of Representatives
Washington, D.C. 20515

Re: Washington Wilderness Bill-S.837

Dear Representative Seiberling:

The Mountaineers is the largest conservation and outdoor organization in the Northwest with more than 10,000 members. We have worked many years for the passage of the Washington Wilderness Bill and have previously offered testimony at hearings in the State of Washington and before the U.S. Senate. Please consider this letter as testimony before the House Subcommittee and include it as part of the record on this bill.

We strongly support S.837 and urge that your Subcommittee, the House Interior Committee, and the House pass the bill expeditiously. As you know, this compromise bill is supported by all of the members of the Washington delegation. Each member of the Washington delegation contributed significantly to the passage of this bill, and each member of the Washington delegation deserves our thanks and our support. In particular, the William O. Douglas Wilderness and Norse Peak Wilderness area is a comprehensive and carefully drawn Wilderness which we are very pleased to support. The Lake Chelan/Sawtooth Wilderness is also a fine addition which is more comprehensive than many persons expected. The Clearwater Wilderness north of Mount Rainier National Park is smaller than we had hoped but we are very pleased that it is included in the bill.

Although we strongly support the passage of this bill, there are several serious problems in the bill which deserve comment. First, we oppose the deletion of approximately 800 areas from the existing Goat Rocks Wilderness so that the commercial ski area at White Pass can be expanded. Although the amount of land deleted is not large, we believe that this deletion creates a dangerous precedent, particularly where the purpose of the deletion is acknowledged to be the expansion of a commercial enterprise.

We were also very disappointed that the bill does not include any Wilderness designation for the Kettle Range area. The Mountaineers has supported the Wilderness proposal of the Kettle Range Conservation Group for many years, and this proposal has been endorsed by many organizations around the state. We believe that the arguments of the timber industry against the Kettle Range Wilderness proposal will not withstand scrutiny since there was little or no commercial timber in the Wilderness proposal. We understand from newspaper articles that the bill has some provision granting the Forest Service authority to continue to protect the 30,000 acres of the Kettle Range Crest. We strongly support this provision and hope that the Committee report will contain language indicating that the entire Kettle Range proposal is worthy of Wilderness designation.

Of the Wilderness areas that are included in the bill, almost every area has significant omissions. For example, the Clearwater Wilderness proposal does not include the lower portion of the Clearwater which contain significant old-growth forests which are very important for wildlife habitat. The Glacier Peak Additions on the west side for some reason do not include the south side of the White Chuck River immediately adjacent to the trail leading to Kennedy Hot Springs, one of the most popular hiking destinations in the state. The Troublesome Creek area was a major omission from the proposed Henry M. Jackson Wilderness. The Big Four Mountain area, which includes a number of prominent and popular peaks, is completely excluded from the Additions. Several major drainages with old-growth timber, such as Rapid River and Cady Creek, are partially or completely excluded from the Glacier Peak Additions. On the east side Glacier Peak Additions, major portions of the Chiwawa and Entiat valleys were excluded from the bill. The Mount Baker Wilderness excludes the Church Mountain area, which is popular for recreation, and also does not include all of the Wallace Creek area, which is important for Native American religious and cultural activities.

All of these areas fully qualify for Wilderness status and should be designated for Wilderness at a later date. As this list indicates, S.387 was a compromise by the Washington delegation, and there are significant areas fully deserving of Wilderness designation which were not included in the bill.

Thank you for the opportunity to include these comments in the hearing record. We hope that the House will act expeditiously on this bill.

Sincerely,

The Mountaineers

Delmar M. Fadden

Delmar M. Fadden
President

DMF/rh

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APPENDIX III

MONDAY, AUGUST 6, 1984

ADDITIONAL MATERIAL SUBMITTED FOR THE HEARING RECORD

BARBARA F. VUCANOVICH
2ND DISTRICT, NEVADA

COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS

COMMITTEE ON HOUSE
ADMINISTRATION

SELECT COMMITTEE ON
CHILDREN, YOUTH, AND FAMILIES

CONGRESSIONAL TRAVEL AND
TOURISM CAUCUS

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

507 CANNON BUILDING
WASHINGTON, D.C. 20515
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STATEMENT OF
BARBARA F. VUCANOVICH, M.C.
ON H.R. 4923

BEFORE THE SUBCOMMITTEE ON
PUBLIC LANDS AND NATIONAL PARKS
HOUSE COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

AUGUST 6, 1984

Chairman Seiberling and my colleagues on the Subcommittee:

Thank you Chairman Seiberling for holding this hearing. Let me begin by welcoming Governor Bryan, whose presence here today shows, I think, the level of interest and concern that this issue generates in Nevada.

I appreciate the opportunity to appear before you today to discuss H.R. 4923. This bill would renew the withdrawal of the approximately 2.9 million acres that comprise the Nellis Air Force Range in Lincoln, Clark, and Nye Counties within the State of Nevada. In addition, the bill would provide for the first-time withdrawal of approximately 90,000 acres in Lincoln County. It is on this additional acreage that I will focus my remarks today.

The vast majority of lands in Nevada, more than any other western state except Alaska, are controlled by the federal government. The State as a whole is about 87% federal land and in some counties--Lincoln County being one of them--the federal land encompasses more than 99% of the total.

I am sure you can understand, then, that federal land policies are of critical importance to Nevadans. And the way that the policies are implemented hits right at the heart of resource management and economic growth within our State.

So when a withdrawal of this, or any, magnitude is proposed, Nevadans want to be informed. Unfortunately in this case, many of those most directly affected, the Lincoln County Commissioners and the individuals with economic interests in the land, were not consulted or informed until after the story appeared in the newspapers.

We Nevadans are patriotic, and we certainly believe in a strong national defense. But we also want to be treated fairly. Having said this, I want to assure the Air Force that I appreciate their willingness to discuss what my concerns have been and to work with me, and the affected parties, to resolve whatever problems we might have with the legislation.

Two examples will illustrate how we have been working to accomodate the individuals affected by this withdrawal.

First, the ranchers in Nevada were concerned because of the withdrawal's impact on grazing. The permittee who is affected uses the area for virtually all of his summer range. As we all know, a grazing permit may be just that--and not a right--but we also know that they are not looked on that way by ranching families, or even by the IRS when it comes time to pay estate taxes. The ranchers were concerned that the clause which gives the Air Force the last say in managing the area would ultimately mean that the grazing permit would be revoked.

I am pleased to say that the Air Force has assured the permittee that he will be able to continue to graze his cattle in the area and we are now working on a mutually acceptable means of including this provision in the legislation.

Secondly, there is the Sheehan family who has owned the Groom Mine, located within the withdrawal area, for more than 90 years. They had serious concerns about whether or not they, and their employees, would be allowed access to their property. They were also concerned that they would eventually be forced to give up their property.

This conflict, though not completely resolved, is now being negotiated between the Sheehans and the Air Force. The Air Force has offered to lease the property for a period of five years, at fair market value, with the right of the Air Force to renew the lease for an additional five years. The Sheehans are optimistic that they will be able to come to a mutually agreeable arrangement and only hope that the Air Force will continue to deal with them in good faith and carry through on the letter they have issued.

I second that hope and will certainly continue to work with both parties to ensure that the Sheehans interests are protected.

In conclusion, let me re-emphasize that although I am pleased that we have, in these cases, been able to begin resolving resource conflicts, this does not excuse the lack of coordination between the federal government and the local residents. Nevadans have been good neighbors to the federal government, I think it only fair that this courtesy is returned.

I would like to again thank Chairman Seiberling for holding this hearing. I look forward to discussing these and other issues with the distinguished witnesses we have here today.

GOVERNOR'S TESTIMONY BEFORE THE
PUBLIC LANDS AND NATIONAL PARKS SUBCOMMITTEE
AND
SENATE ENERGY AND NATURAL RESOURCES COMMITTEE

THE GREAT SEAL OF THE STATE OF NEVADA

ALL FOR OUR COUNTRY

AUGUST 6 AND 8, 1984

WASHINGTON, D.C.

I'D LIKE TO BEGIN BY THANKING THE MEMBERS OF THE PUBLIC LANDS NATIONAL PARKS SUBCOMMITTEE FOR CONVENING THIS HEARING ON A MATTER THAT IS OF GREAT CONCERN TO ME AND TO THE CITIZENS OF NEVADA.

I AM HERE TODAY TO EXPRESS MY STRONG OPPOSITION TO THE MANNER IN WHICH PUBLIC LAND IN NEVADA IS BEING APPROPRIATED BY THE FEDERAL GOVERNMENT FOR DEFENSE-RELATED ACTIVITIES. I AM ALARMED BECAUSE NEVADA LAND IS BEING TAKEN WITHOUT PROPER PUBLIC REVIEW, WITHOUT ANALYSIS OF THE IMPACT UPON THE COMMUNITY AND STATE AND WITHOUT ANY - I REPEAT ANY - TYPE OF COMPENSATION FOR THE NEVADANS WHOSE LIVES AND LIVELIHOODS ARE BEING SEVERELY DISRUPTED.

MR. CHAIRMAN, AS YOU KNOW, THE STATE OF NEVADA HAS A LONG HISTORY OF COMMITMENT TO AND INVOLVEMENT WITH THE FEDERAL GOVERNMENT ON MATTERS OF NATIONAL SECURITY AND DEFENSE. SINCE WORLD WAR II, NEVADA HAS BEEN THE SITE OF EXTENSIVE NUCLEAR WEAPONS

DEVELOPMENT AND TESTING. SINCE THE EARLY 1950'S, MORE THAN 600 DIFFERENT NUCLEAR DEVICES HAVE BEEN DETONATED ABOVE AND BELOW GROUND AT THE NEVADA TEST SITE. NEVADA'S COMMITMENT TO NATIONAL DEFENSE HAS NOT BEEN MADE WITHOUT SACRIFICE. MUCH OF THE TEST SITE'S 864,000 ACRES ARE CONTAMINATED AND UNFIT FOR PUBLIC USE.

NOT ONLY IS NEVADA'S NATIONAL DEFENSE COMMITMENT EVIDENCED AT THE TEST SITE, BUT ALSO AT THE NELLIS AIR FORCE BASE TOP SECRET BOMBING AND GUNNERY RANGE, WHICH IS THE SUBJECT OF THIS HEARING. THE RANGE, WHICH COVERS MORE THAN 2,900,000 ACRES, HAS BEEN THE LOCATION OF NUMEROUS, HIGHLY CLASSIFIED MILITARY ACTIVITIES. ORIGINALLY ESTABLISHED IN THE 1940'S, THE AREA REPORTEDLY HAS BEEN USED TO TEST MX, CRUISE AND PERSHING MISSILES, THE STEALTH BOMBER AS WELL AS TO TRAIN AIR FORCE PILOTS AND FLIGHT CREWS IN A BROAD SPECTRUM OF TACTICAL MISSIONS. ADDITIONALLY, MANY OF THE PRESIDENT'S "STAR WARS" CONCEPTS MAY BE DEVELOPED AND TESTED HERE.

BECAUSE OF THE HIGHLY CLASSIFIED NATURE OF THE ACTIVITIES AT THE RANGE, WE CANNOT BE CERTAIN EXACTLY WHAT EFFECTS THESE TESTS

AND PROJECTS ARE HAVING - OR WILL HAVE - ON THE TERRAIN AND IMMEDIATE ENVIRONMENT OF THE AREA. WE DO KNOW THAT THIS AREA WILL NEVER AGAIN BE ACCESSIBLE TO THE PUBLIC AND THAT ANOTHER MAJOR CHUNK OF LAND - NEVADA LAND - IS LOST.

NEARLY FORTY PERCENT (40%) OF NEVADA'S AIRSPACE IS UNDER SOME TYPE OF FEDERAL CONTROL - EITHER FULLY RESTRICTED FOR MILITARY PURPOSES OR CLASSIFIED AS MILITARY OPERATIONS AREA (MOA'S), WHICH HAVE THE EFFECT OF SEVERELY LIMITING USE BY COMMERCIAL AND PRIVATE AVIATION.

IN ADDITION, MR. CHAIRMAN, NEVADA IS NOW BEING EXAMINED BY OTHER FEDERAL AGENCIES AS A LOCATION FOR THEIR ACTIVITIES, AND BECAUSE OF THAT, ADDITIONAL ACREAGE IS BEING CONSIDERED FOR WITHDRAWAL AND COULD BE LOST FOR PUBLIC USE.

THE AIR FORCE, FOR EXAMPLE, WANTS EXCLUSIVE USE OF AIRSPACE ABOVE AREAS IN CENTRAL AND EASTERN NEVADA TO CONDUCT SUPERSONIC FLIGHT TRAINING, WHILE THE U.S. NAVY IS PROPOSING TO DESIGNATE AND WITHDRAW MORE THAN 5,600 SQUARE MILES IN THE MIDDLE OF THE STATE.

ADDITIONALLY, AS YOU ARE AWARE, YET ANOTHER AREA IN SOUTHERN NEVADA IS BEING STUDIED BY THE DEPARTMENT OF ENERGY AS THE SITE FOR A HIGH LEVEL RADIOACTIVE WASTE REPOSITORY.

OF NEVADA'S ROUGHLY 70 MILLION ACRES, MORE THAN 60 MILLION ACRES ARE DIRECTLY CONTROLLED OR MANAGED BY THE FEDERAL GOVERNMENT. THE PERCENTAGE OF NEVADA'S TERRITORY ALREADY RESERVED STRICTLY FOR VARIOUS FEDERAL PURPOSES IS STAGGERING - 2ND ONLY TO ALASKA. FOR YEARS, NEVADANS HAVE ACQUIESCED TO DEFENSE-RELATED LAND WITHDRAWALS, BUT THE TIME HAS COME TO DRAW THE LINE.

AT ISSUE IS THE DEPARTMENT OF THE AIR FORCE'S ARBITRARY ADDITION OF SOME 89,000 ACRES OF BLM LAND TO THE ORIGINAL 2,945,726 ACRE NELLIS AIR FORCE BASE BOMBING RANGE WITHDRAWAL REQUEST, CONTENDING THAT THE ADDITIONAL ACREAGE IS NEEDED TO GUARANTEE SECURITY OF A HIGHLY CLASSIFIED SECTION OF THE RANGE.

LET ME MAKE ONE THING VERY CLEAR FOR THE RECORD. I DO NOT QUESTION THE AIR FORCE'S LEGITIMATE NEED TO WITHDRAW THIS LAND FOR SECURITY REASONS. WHAT I DO QUESTION - AND WHAT I AM STRONGLY OPPOSED TO - IS THE MANNER IN WHICH THE AIR FORCE HAS

ATTEMPTED TO HOODWINK THE CONGRESS AND THE STATE OF NEVADA BY ADDING THE 89,000 ACRES TO A ROUTINE REQUEST WITHOUT PUBLIC REVIEW OF ANY KIND AND WITHOUT A THOROUGH ASSESSMENT OF THE SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS ATTENDANT UPON SUCH A WITHDRAWAL.

I AM HERE TODAY TO ARGUE FOR A SEPARATE REVIEW OF THIS ADDITIONAL ACREAGE REQUEST. ONCE SEPARATED, THERE MUST BE A FULL ENVIRONMENTAL IMPACT STATEMENT, COMPLETE WITH PUBLIC HEARINGS. THE AIR FORCE SIMPLY MUST BE MADE TO ADHERE TO THE ESTABLISHED PROCESS, PROCEDURES AND LAWS REGARDING WITHDRAWALS OF THIS SIZE. ONLY THEN CAN THE IMPACT OF THIS WITHDRAWAL BE CLEARLY IDENTIFIED AND PROPERLY COMPENSATED.

AS YOU ARE PROBABLY AWARE, MR. CHAIRMAN, NEVADA IS ONE OF THE FASTEST GROWING STATES IN THE NATION. OUR POPULATION HAS MORE THAN DOUBLED IN THE PAST TEN YEARS AND IS EXPECTED TO HIT THE ONE MILLION MARK SOON. ALL OUR CITIZENS - BUT OUR RANCHERS, MINERS, RURAL RESIDENTS AND WILDLIFE ENTHUSIASTS IN PARTICULAR - ARE DEPENDENT ON PUBLIC LANDS FOR THEIR LIVELIHOOD - INDEED THEIR

VERY LIFESTYLES. I STRONGLY SUGGEST TO YOU THAT THE DAY IS PAST WHEN THE FEDERAL GOVERNMENT CAN LOOK AT NEVADA - AND THE GREAT BASIN IN GENERAL - AS AN UNPOPULATED WASTELAND TO BE CORDONED OFF FOR WHATEVER NATIONAL PURPOSE SEEMS TO REQUIRE IT.

HR-4932 - THE PROPOSED WITHDRAWAL - STRIKES AT THE HEART OF THIS CRUCIAL FEDERAL/STATE LAND USE ISSUE. I HAVE GRAVE CONCERNS OVER THE INCLUSION OF LANDS FOR WITHDRAWAL FROM THE PUBLIC DOMAIN THAT HAVE NOT GONE THROUGH THE ENVIRONMENTAL IMPACT ASSESSMENT PROCESS AND OVER THE PRECEDENT THAT THIS TYPE OF ACTION ESTABLISHES; THAT PRECEDENT BEING THAT WHENEVER THE FEDERAL GOVERNMENT WANTS TO WITHDRAW NEVADA'S PUBLIC LANDS FOR DEFENSE OR NATIONAL SECURITY PURPOSES, IT MAY DO SO WITHOUT CONSIDERING THE EFFECTS OF SUCH WITHDRAWAL UPON THE STATE AND ITS PEOPLE.

I AM PARTICULARLY CONCERNED ABOUT THE LOSS OF WILDLIFE RELATED RECREATIONAL POTENTIAL ASSOCIATED WITH THE ADDITIONAL 89,000 ACRES IN THE GROOM RANGE. NEVADA SPORTSMEN AND OUTDOOR ENTHUSIASTS HAVE ALREADY SACRIFICED THE OPPORTUNITY TO ENJOY WILDLIFE BASED RECREATION ON NEARLY 3 MILLION ACRES ENCOMPASSED by the the existing Nellis Range. This area includes mule deer, pronghorn antelope, desert bighorn sheep, mountain lion, chukar partridge, Gambel's quail, and numerous other species of fur-bearing and nongame animals. Now additional significant acreage which supports most of these same wildlife species will be unavailable for public access. The people of Nevada must be compensated for this loss and compensated to the highest degree possible by replacement with the same kinds of recreational opportunities. This can only be done by enhancing the ability of surrounding, and still accessible public lands, to support a broader distribution and greater numbers of wildlife. A representative of our Department of Wildlife is here with me today to express, in more detail, our wildlife concerns and appropriate compensation measures.

In addition to requiring a full environmental impact statement according to the provisions of the National Environmental Policy Act (NEPA) for the 89,000 acres in question, I am also suggesting that the State of Nevada and the federal government, WORKING TOGETHER, ESTABLISH FIRM GUIDELINES AND CONDITIONS FOR WITHDRAWING LAND IN THE FUTURE. SUCH GUIDELINES SHOULD PROVIDE:

FIRST, THAT ALL PENDING AND FUTURE WITHDRAWALS BE SUBJECTED TO THE FULL NEPA PROCESS;

SECOND, THAT THE FEDERAL GOVERNMENT RETURN TO THE STATE AN ACRE OF LAND OF COMPARABLE VALUE FOR EVERY ACRE PROPOSED FOR ANY TYPE OF PERMANENT WITHDRAWAL OR THAT SOME OTHER METHOD OF COMPENSATION BE AGREED UPON;

THIRD, THAT FUNDS BE PROVIDED TO THE STATE AND TO LOCAL GOVERNMENTS TO ASSIST IN THE REVIEW OF THESE PROPOSED WITHDRAWALS AND TO PROVIDE FOR ADEQUATE LAND USE PLANNING ACTIVITIES;

FOURTH, THAT PAYMENT IN-LIEU-OF TAXES ON SUCH LAND BE MAINTAINED AND THAT THESE PAYMENTS BE BASED ON EQUITY AND REAL VALUE;

FIFTH, THAT THE FEDERAL GOVERNMENT PROVIDE ADDITIONAL ASSISTANCE TO THE AFFECTED LOCALITIES, SUCH AS PAVING ROADS, MAINTAINING AIR STRIPS, UPGRADING RECREATIONAL AREAS, AND OTHER ASSISTANCE IDENTIFIED THROUGH PUBLIC HEARINGS AND BY WORKING IN CONCERT WITH LOCAL ELECTED OFFICIALS.

What I am urging, Mr. Chairman, is a process that will provide direct and adequate compensation to the State and to local entities beyond the mitigation of direct impacts.

Again, let me stress, Mr. Chairman, that the concerns I have addressed have less to do with the specifics of the additional 89,000 acre withdrawal than they do with the general issues of process, equity, and the nature of Federal-State relations.

The people of Nevada have always responded when called upon to support legitimate Federal purposes. What we cannot and will not countenance is the denial of the right to participate in major decisions affecting our State.

In summary, Mr. Chairman, I am requesting that your committee and the U.S. Congress require the Air Force to submit the 89,000 acres through the NEPA process, that it be required to identify all impacts, and that it be required to provide compensation to the State and local governmental entities in a manner that is equitable and fair.

Thank you.

TESTIMONY OF

THE HONORABLE HARRY REID

SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS

AUGUST 6, 1984

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE, I appreciate the opportunity to appear before you to express my views and concerns regarding H.R. 4932. This bill withdraws and reserves for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye and Lincoln Counties in Nevada. This land is used for training and weapons testing and other uses.

The withdrawal of approximately 3,034,929 acres of public land allows for the continuance of military testing and training which has been ongoing since the early 1940's. Approximately 2,944,929 acres have been authorized for withdrawal in the past; H.R. 4932 asks for approximately 90,000 additional acres to provide a buffer to prevent the compromising of our national security and public safety. It is this additional 90,000 acres about which I am concerned and will discuss in my testimony today.

First, let me state that most Nevadans clearly understand the need for sacrifices regarding the national security and national defense of our country. Most Nevadans, I believe, feel that Nevada is doing its fair share -- if not more. On the other hand, Nellis Air Force Base and the Nevada Test Site are valued partners in our community. These installations are an integral part of the economic base of Southern Nevada, providing thirteen thousand military, civil service, civilian employee and contract worker jobs. Business opportunities for those who provide sales and services result in multi-millions of dollars. The Nellis community when counting family members and retirees has a population of approximately 56,000. Nellis would qualify as the fourth largest "city" in Nevada.

Yet, it must be kept in mind that the Federal government owns and controls over 87 percent of the land in my State. Approximately 40 percent of the air space of Nevada is restricted by military control. One can understand why any additional withdrawal of public land concerns Nevadans. Nevada is among the fastest growing states in the Union and a high percentage of its population looks to the public lands for much of its recreation. Nevadans are an outdoor-oriented people and greatly value the wildlife and hunting opportunities, as well as non-consumptive recreation which the public lands provide.

It must be emphasized that most of Nevada is desert. Water is a commodity that is prized beyond the imagination of most Americans, except by those who share our knowledge of these arid lands. This withdrawal includes the Groom Mountain

Range a very good wildlife habitat. It contains three springs, each with a flow of 50 gallons per minute. There are numerous water seeps, all of which support a good population of deer, quail, chukar and rabbits. It is potentially an excellent site for the placing of bighorn sheep. In short, this is prized hunting territory. It may not, in the minds of some, compare with the green forested majestic areas of other parts of the country, but to us it is among the most beautiful land in the world.

Much of the public criticism that has been raised by the withdrawal of an additional 90,000 acres is a result of a belief that the Air Force has not proceeded in a legal manner. Some Nevadans believe that the closing of the lands, known as the Groom Mountain Range, under the banner of national security, is an arrogant display of power.

The Air Force insists that the withdrawal application was presented to the State Office of the Bureau of Land Management and that the Nevada Congressional Delegation was briefed concerning the proposed action in 1982. I urge this Committee to determine the validity, legality and appropriateness of these actions.

During the last month, I have had the opportunity to visit the Groom Mountain Range and the adjacent area of the Nellis Air Force Range. I have walked through the Groom Mining site, the famous Area 51 at the Test Site, and also viewed both from a helicopter near the top of Bald Mountain located in the Groom

Range. I have been briefed by the Air Force at the Test Site regarding their activities there. I am convinced that the national security interests of the country will be served by this withdrawal.

Even so, it is the impact of this withdrawal that I wish to address today. There are private citizens of Nevada who have legal rights of ownership to some of this land. Mining claims effecting two families and grazing rights held by another, are issues that must be taken into account with compensation guaranteed. Wildlife management projects and wildlife lands must be protected. Compensation to offset the loss of the public's use of this land should come in the form of Federal grants to the State to rehabilitate off-base wildlife lands to raise their carrying capacity to offset the loss of the Groom Mountains and the purchase of private lands adjacent to existing State management areas.

Groom Mine, located on the property proposed for withdrawal, is owned by the Sheahan family. This family has owned and mined this property since the 1890's. They have legal rights to approximately 22 mining claims on the proposed land, most of which are patented. It is imperative that their rights be protected and that they be compensated for any losses incurred. The Air Force and the Sheahan's are in the early stages of preparing to negotiate a 5-year lease with a 5-year renewal option which will include limited access to the property for the owners and their families. I want to insure that it is understood by all concerned that access to the property by the family is not considered for just family outings for the purpose of reunions or picnics. Assessement work is required by law to maintain claims, and access is needed to perform the required work. It is essential that the lease require the structures in the tunnels be preserved and maintained, the water system maintained so if and when the lease agreement ends the Sheahan's regain their property in the same condition it is on the day the agreement commences.

During this time when increased military uses of public lands are being sought, Nevadans are becoming extremely sensitive to the impacts this may have on their health, economic livelihood and recreational interests. I share those concerns and wholeheartedly support the premise that Nevadans should be compensated for any loss. Several options exist one that is viable would be for the federal government to purchase approximately 9,000 acres of private land on the boarder of the Red Rock Recreation area outside of Las Vegas. This acquisition is supported strongly by the Sierra Club.

Santini-Burtonis an example of existing law which embodies the concept of a "land exchange" occuring in two distinct steps. The first step is to sell excess federal land and deposit the funds in an escrow account. The second step is to approach private land owners who are willing to sell desirable land to the federal government for cash. The cash comes from the escrow account. The Santini-Burton approach allows a consolidation of private and public lands for better land management practices without the frustrating, time consuming process of trading lands on an equal, fair market price basis. If the federal government established an escrow account equal to the value of the lands removed from the public domain, it could be used to acquire private property such as that near Red Rock Canyon in Southern Nevada. This will increase public recreation opportunities and, I believe, provide a viable and proper form of compensation.

For many years the veterans of Nevada have been working to establish and develop a veterans cemetery. A major problem has been the acquisition of property. Currently, 80 acres of public land, controlled by Bureau of Land Management (BLM), has been determined to be appropriate for the cemetery by a veterans' commission established by the governor. Yet, the price, based on fair market policy, is prohibitive to the taxpayers of Nevada. This is just another area that should be included in compensating Nevada.

The State of Nevada and citizens of Lincoln County are attempting to purchase private property from the Union-Pacific Railroad Company. This property is in an area known as Condor Canyon and contains approximately eight miles of railroad track running north from Panaca. This track is a stretch once used by the Pioche-Bullionville Railroad and has been in existence since the 1870's. This area has not only tremendous recreational potential, but historical significance as well. Lincoln County intends to restore the historical line using a steam engine train to provide tourist opportunities for the community and preserving a part of our historical railroad and mining heritage. The potential for developing a reservoir to be used for fishing also exists. The potential here for recreation is tremendous.

In closing, I would like to reiterate that I believe the private citizens with property rights must be compensated and protected. I believe and trust that this will happen. I also believe the State of Nevada and its citizens will suffer from this withdrawal, and also must be compensated.

The State of Nevada has always been an effective working partner with the federal government. Nevada fully expects the federal government to reciprocate in this matter. Compensation is deserved and must be made. The Memoranda of Understanding currently in effect establishing the states relationships with federal agencies working on wildlife management and land management must continue to be observed.

In this day and age when words such as fairness and justice are being thown about, I believe that Nevadans expect the federal government to be nothing less than fair and just.

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August 3, 1984

The Honorable Harry M. Reid
Member of Congress
United States House of Representatives
1711 Longworth House Office Building
Washington, D. C. 20515

Re: Sheehan Family's patented and unpatented mining claims situate in the Groom Mining District of Lincoln County, Nevada.

Dear Congressman Reid:

Through your good offices, I met on July 13, 1984, as attorney for the Sheehan family, with Mr. Paul Hirsch of the Air Staff Real Estate Division, and Colonel Robert Smith, of the Department of Energy, for the purpose of discussing the effect that passage of HR 4932 might have upon the Sheehan family's quiet use, possession, and peaceful enjoyment of their mining claims situate within the land to be withdrawn upon passage of the Bill.

After a full and frank discussion, it was tentatively agreed that the Air Force would lease the claims from the Sheehans at a fair market value to be determined by an appraisal. Mr. Hirsch stated that he was returning to Washington and would send me a letter under the signature of Deputy Assistant Secretary of the Air Force, Mr. Boatwright, signifying their intention to enter into such a lease. He stated further, that he would send me such a letter prior to the hearing on such bill by the Subcommittee on Public Lands, which I understand is set for August 6.

Secretary Boatwright wrote Mr. Sheehan on July 26th, proposing that a five year lease be entered into, with the right of the Air Force to renew for an additional five year term. I understand that you have been provided a copy of such letter. The letter is very general in its terms, and does not address any of the questions which ordinarily present themselves when the lease of mining claims is under discussion. The only matter specifically referred to is the term of the lease, without mentioning a proposed commencement date, and an appraisal of the property to determine the fair

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market value.

Following is a list which includes, but is not limited to, the matters which will have to be negotiated before a lease of the kind suggested by the Secretary can be entered into.

1. Appraisal: A procedure will have to be agreed upon to select an appraiser, or panel of appraisers. The Secretary, in his letter, stated only that the appraiser must be mutually acceptable to each of us. Practical experience would lead one to believe that very seldom can two parties agree upon a single appraiser. Therefore, the proposed lease should set up a procedure for the selection of an appraiser, or panel, if the parties cannot agree upon a single appraiser.

2. Commencement of Term: It will be necessary to agree as to a commencement date for the term of the lease. I would anticipate some difficulty in securing a qualified appraiser for this type of property, and, therefore, months might pass until a fair rental is arrived at. Therefore, the parties will have to negotiate a commencement date, and if such date is prior to the appraisal, the lease must then provide for retroactive rental payments.

3. Maintenance of Property: The claims contain many tunnels and drifts that are substantially timbered. The timber, particularly will have to be inspected and replaced as necessary in order to prevent cave-ins. In addition, the water system and buildings will have to be maintained. Generally, there will have to be assurances that the property will not suffer waste during the term of the lease.

4. Assessment Work: As you are well aware, it is necessary that assessment work be done annually on the unpatented claims. Further, assessment work can be done on the patented claims in lieu of taxes. Ordinarily, in a mining claim lease, the tenant undertakes these responsibilities.

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5. Timber: Ordinarily the right to take timber from public lands for domestic and mining purposes was appurtenant to a mining claim. The 1955 law changed this well-established privilege, but all of these claims were located and patents received to the patented claims prior to that time. Some recognition of this right to timber should be acknowledged by the Air Force.

6. Access: The Secretary refers to the family's access to these claims as "family gatherings," indicating that the purpose thereof is some sort of family reunion or party. Such is not the case. The purpose of the family's presence at the claims is (1) to do the assessment work; (2) inspect and replace the timbering; (3) maintain the buildings; and (4) to do additional exploratory and development work. If, of course, the Air Force intends to perform all of these services, then the only necessity for the family to go upon the claims would be for inspection purposes.

Upon receipt of Secretary Boatwright's letter, I called Mr. Hirsch and discussed these matters with him. He assured me of the willingness of the Air Force to negotiate all of the terms of the lease in good faith, and stated it was the desire of the Air Force to insure that the Sheehan family was not injured in any way by the contemplated withdrawal of public lands.

I wish to take this means of expressing my appreciation, and that of the Sheehan family, to you for your interest in this matter, and request that you call the Subcommittee's attention to the status of our current negotiations with the Air Force.

With kindest personal regards, I remain,

Very truly yours,

Ralph L. Denton

Ralph L. Denton

RLD:jk

Not for Publication Until Released
By the Subcommittee on Public Lands and National Parks
Committee on Interior and Insular Affairs
United States House of Representatives

STATEMENT OF

JOHN O. RITTENHOUSE

DEPUTY for INSTALLATIONS MANAGEMENT

DEPUTY ASSISTANT SECRETARY OF THE AIR FORCE

(Installations, Environment and Safety)

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

UNITED STATES HOUSE OF REPRESENTATIVES

AUGUST 6, 1984

Mr. Chairman and members of the Committee, I am John O. Rittenhouse, Deputy for Installations Management, Office of the Deputy Assistant Secretary of the Air Force (Installations, Environment, and Safety). I am pleased to appear before this Subcommittee to discuss HR 4932 which withdraws and reserves 3,034,929 acres of public land in southern Nevada to the Department of the Air Force for 25 years, subject to all valid and existing private property rights.

INTRODUCTION

The Nellis Air Force Range comprises the largest air and ground space available in the free world for peacetime military operations. It is designated by the Department of Defense as a component of the Major Range and Test Facility Base. The major range and test facilities constitute a national asset - sized, operated, and maintained for Department of Defense test and evaluation support missions. Because of the unique capabilities and characteristics of these facilities, they are also used in support of other U.S. Government agencies and allied foreign governments. Specifically, the Nellis Air Force Range is operated and maintained to satisfy DoD and Air Force requirements for a combat-like training environment. The Military Services, as well as other Federal departments and allied foreign governments, use the unique facilities at the Nellis AF Range for test and evaluation; training areas for aerial gunnery; tactical maneuvering and air support; electronic warfare; large scale military exercises; and other specialized and integrated force missions. Because of the large expanse of land area required to conduct the unique testing and training, there are no other areas available to accomplish these missions. Furthermore, due to the high cost of developing a range, estimated in the hundreds of millions of dollars, it is unlikely that a range complex such as this could be duplicated in any other area. The continued use of this national asset permits a realistic combat training environment, an element vital to attaining and maintaining our air combat capabilities. These capabilities are essential to the readiness of our tactical forces in defense of this nation. The importance of the Nellis AF Range testing and training environment cannot be overemphasized.

BACKGROUND

By Executive Order 8578, October 29, 1940, President Roosevelt established the Las Vegas Bombing and Gunnery Range. Since 1942 the Las Vegas Bombing and Gunnery Range, now the Nellis AF Range, has undergone numerous changes through executive orders, public land orders, and administrative actions, e.g. the size of the original range has decreased from 3.6 million acres to its present configuration of 3.1 million acres. From the time of the establishment of the Range in 1940 until 1959, co-use was granted to cattlemen and miners. Based on the realization that the Department of Defense would require this area as a permanent range and test facility and that future training and testing would increase, actions were begun to purchase all existing grazing and mineral rights within the current boundaries of the Nellis AF Range. The Air Force expended $708,000 to purchase all private interests within the range with the exception of three patented mining claims which were subordinated through leasing. The Air Force is in the process of purchasing one claim, has purchased an indefinite lease subordination on a second claim and is continuing the lease subordination on the third mining claim. These actions have been taken to compensate private owners since unrestricted access to the range is not possible because of safety and national security reasons.

INTERRELATIONSHIPS

Department of Energy

From 1952-1961, three public land orders transferred portions of the range to the Atomic Energy Commission, now the Department of Energy, for the development of the Nevada Test Site. The Nevada Test Site is located between the north and south portions of the

Nellis AF Range. Through a Memorandum of Understanding (MOU) the Air Force has permitted 369,280 acres to the Department of Energy for use as a fully instrumented test range. This area, located in the upper portion of the North Range, is commonly referred to as the Tonopah Test Range.

Desert National Wildlife Range (DNWR)

The South Range of the Nellis AF Range overlaps the western half of the Desert National Wildlife Range (DNWR). The DNWR (1,322,900 acres) is managed by the Department of the Interior, Fish and Wildlife Service, who has primary jurisdiction over these lands. Through a MOU, March 11, 1976, the Air Force and the Fish and Wildlife Service co-use the overlapping area. The MOU allows the Air Force to establish training and testing sites in specific locations below 3,600 feet mean sea level. These sites are located in the lower elevations to allow for the coexistence of Bighorn Sheep. The testing and training sites take up 16 percent of the DNWR. All other Air Force activity affecting the DNWR is limited to air space usage.

Bureau of Land Management

The Department of the Interior, Bureau of Land Management (BLM), will manage the land and resources (except the DNWR) under the principle of multiple use. Issuance of agreements, rights-of-way, leases, and easements will be the responsibility of BLM. All such uses and any agreement are secondary to the military use of the land and are authorized only with the concurrence of the Air Force. BLM has primary responsibility for the management of wild horses and burros. The Nevada Wild Horse Range is located in the central portion of the North Range of the Nellis AF Range and was established for the protection and welfare of the wild horses and burros.

Five-Party Cooperative Agreement

Under the umbrella of numerous public laws and the principle of multiple use, a five-party cooperative agreement was effected in January 1977. Signatories to this agreement are the Air Force, Bureau of Land Management, Fish and Wildlife Service, Department of Energy, and the Nevada Department of Fish and Game. This cooperative agreement was instituted for the purpose of protection and management of the natural resources within the boundaries of the Nellis AF Range. The cooperative agreement is based on the concept of shared responsiblity which is beneficial to the management of natural resources and to the Air Force range operations. The cooperative agreement states that "all parties shall cooperate in conducting resource inventory(s) of the area and developing resource management plan for wild horses, burros, and fish and wildlife based on the inventory data." We advocate continuing the cooperative agreement to ensure that the needs and concerns of all involved agencies are addressed.

Minerals

The Mining Law of 1872 presently governs the exploration and extraction of hard rock minerals from public lands. This law provides for a system which allows the locator of valuable minerals exclusive right of possession and enjoyment of the surface and subsurface rights, including construction of any structures directly related to the mining operation. This system is neither consistent nor compatible with Air Force or Department of Energy operations. Therefore, the public land comprising the Nellis AF Range was withdrawn from the operation of the Mining Law of 1872. However, under some circumstances, existing patented claims can be tolerated with military operations. This could only be accomplished by placing access restrictions on the patent holder.

The Mineral Leasing Law of 1920 allows leasing of public land containing deposits of coal, phosphate, sodium, potassium, oil, oil shale, gilsonite, all vein type solid hydrocarbons, and gas. The exploration for and exploitation of these minerals on withdrawn lands under the concept of multiple use are evaluated by the surface managing agency on a case-by-case basis to determine compatability. If the Air Force, as surface managing agency, determines that multiple use is feasible on a non-interference basis, then the Bureau of Land Management, as the responsible federal agency, can issue mineral leases.

Environmental Impact Analysis Process

During preparation of the draft environmental statement, the Air Force and BLM (the agency responsible for public land) contacted federal agencies, state and local agencies and interested groups and individuals. On May 23, 1977, a letter was issued asking for comments and identification of potential environmental impact. A Range operational briefing was conducted on August 23, 1977, in Reno, Nevada. The briefing was provided to federal and state agencies to assist in their review of potential impacts. Notice was published in the Federal Register, Vol 42, No. 179, September 15, 1977, concerning the preparation of the environmental impact statement on the withdrawal renewal. At about the same time, coverage was provided through local news media. A meeting was held on March 4, 1978, at the BLM State Office to discuss wilderness items and areas of critical environmental concern. Representatives of the Sierra Club, Nevada Outdoor Recreation Association, and the University of Nevada at Reno, Recreation Department participated in the meeting.

The Draft Environmental Statement was filed with the Environmental Protection Agency on July 27, 1979, and released to the public. The notice of availability was published in the August 3, 1979 issue of the Federal Register. News releases were issued by the BLM Nevada State Office to publicize the availability of the Draft Environmental Impact Statement (EIS). A public hearing was held on the Draft EIS on September 18, 1979, in Las Vegas, Nevada. The hearing was announced in the Federal Register notice of August 17, 1979, and was publicized in Nevada through news releases from the Nevada State Office of BLM. The hearing was chaired by a representative of the Nevada office with panel members consisting of representatives of the Air Force and BLM. The Final EIS was filed with EPA in April 1981 and appeared in the Federal Register, Vol 46, No. 84 on May 1, 1981.

Groom Mountain Range

In November 1981, the Air Force asked the Bureau of Land Management to modify the withdrawal application to include 90,000 acres of public land for national security reasons. The 90,000 acres are within the Groom Mountain area contiguous to the eastern boundary of the North Range of the Nellis AF Range. Withdrawal of this elevated area to serve as a buffer is required in the interest of national security. This area is only to be used as a buffer and not for the siting of any targets or other environmentally significant activities.

The Draft and Final Environmental Impact Statements (EIS) for the continuation of Air Force use of the public land comprising the Nellis AF Range was for 2,944,929 acres. The requirement for the

Groom Mountain area was identified after the Final EIS was filed and published in the Federal Register. The 90,000 acres are contiguous to the North Range, and constitute only a three percent increase in the land area of the proposed withdrawal. This area will be used only as a safety and security buffer. The general area was fully evaluated as part of the environmental impact analysis process and no use of this area will have any different environmental impacts than those described in the EIS. Therefore, a decision was made, with the knowledge of the Bureau of Land Management, not to readdress impacts already covered in the approved Final EIS. An additional redundant environmental analysis would have delayed the withdrawal of these public lands.

Based on national security, access restrictions were placed on this area to prevent access by unauthorized visitors. Persons possessing valid existing property rights have been permitted reasonable entry to the area, although restricted at times, to pursue their legitimate activities. The Air Force takes full responsibility for restricting access to the Groom Mountain area. In this regard, we are seeking the understanding of the public and this Subcommittee in expediting the withdrawal process and the cooperation of those persons with valid existing property rights in the interest of national defense. We will continue to work with those owners having valid existing property rights to minimize their inconvenience.

SUMMARY

The Nellis AF Range is a unique national asset which would be impossible to reproduce anywhere in the continental United States. It provides valuable testing and training for our tactical forces as well as other authorized agencies. The im-portance of the realistic combat-like training environment is immeasurable as members of this Subcommittee and your staffs have recently seen firsthand.

The environmental analysis process for withdrawal of the public lands does not, as indicated, specifically address the 90,000 acres contained in the Groom Mountain area. The environmental issues with respect to this area are essentially the ones addressed by the EIS for the range as a whole, except that no active use, such as bombing, is contemplated for this area. Since it is only a three percent increase in the total withdrawal and presented no unique environmental issues, we did not believe that amendment of the EIS would serve a useful purpose. It is in the interest of national security that the Groom Mountain area be included in our proposed withdrawal. We will continue to work, as we have in the past, with owners of valid existing property rights, within the Groom Mountain area, to insure that they have access to their property. However, if restricted access is not acceptable to the owners, we are agreeable to acquiring a subordination agreement or fee title to their property at fair market value based on an independent appraisal.

This concludes my prepared remarks. Thank you, Mr. Chairman, for the opportunity to explain the Air Force position on H.R. 4932.

AUG - 6 1984

STATEMENT OF FRANK A. EDWARDS, ASSISTANT DIRECTOR, LAND RESOURCES, BUREAU OF LAND MANAGEMENT, UNITED STATES DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, UNITED STATES HOUSE OF REPRESENTATIVES, ON H.R. 4932, A BILL "TO WITHDRAW AND RESERVE FOR THE DEPARTMENT OF THE AIR FORCE CERTAIN PUBLIC LANDS WITHIN THE NELLIS AIR FORCE RANGE, WITHIN CLARK, NYE, AND LINCOLN COUNTIES, NEVADA, FOR USE AS A TRAINING AND WEAPONS TESTING AREA, AND FOR OTHER PURPOSES."

I appreciate the opportunity to appear before the Subcommittee this morning to discuss H.R. 4932.

Section 1 of H.R. 4932 would withdraw approximately 3,034,929 described acres in Clark, Nye, and Lincoln Counties Nevada, from all forms of appropriation under the public land laws, including the mining laws, but not the mineral leasing laws. The lands would be reserved for use by the Department of the Air Force as an armament and high hazard testing area, a training area for aerial gunnery, electronic warfare, tactical maneuvering and air support, and for other defense-related uses.

Included in the areas proposed for withdrawal are lands within the Desert National Wildlife Range. Section one of H.R. 4932 provides that except to the extent required by national defense, the bill would not affect the National Wildlife Refuge System Administration Act of 1966, as it applies to the wildlife range; any executive order or public land order affecting the wildlife range; or any memorandum of understanding between the Air Force and the Department of the Interior regarding the administration and joint use of the wildlife range.

Section two would establish responsibility for management of the lands that would be withdrawn by the bill. The Secretary of the Air Force would have exclusive jurisdiction over the management of the lands for military purposes and could authorize use of the lands by the other military departments and agencies of the Department of Defense, and the Department of Energy.

Section 2 further provides that the Secretary of the Interior would be responsible for managing the natural resources of the involved lands, including the issuance of cooperative agreements relating to natural resources, easements, mineral leases, and rights-of-way. The Secretary of the Interior, after consultation with the Secretary of the Air Force would be required to develop a resource management plan and implementation program for use and management of all lands affected by the Act, except those lands comprising the Desert National Wildlife Range. The Secretary of the Interior and the Secretary of the Air Force would be required to enter into a memorandum of understanding to implement the required plan and program. The lands in the Desert National Wildlife Range would be managed by the Secretary of the Interior in accordance with the National Wildlife Refuge System Administration Act of 1966, except to the extent that other uses are required for purposes of national defense.

Section 3 specifies that the withdrawal that would be established by the bill is not intended to affect any water rights concerning the lands.

Section 4 provides that the withdrawal that would be established by the bill shall terminate 25 years from the effective date of the Act. That section also establishes a procedure for returning the withdrawn lands to the jurisdiction of the Department of the Interior upon expiration of the withdrawal, and a procedure to be used for lands that cannot be certified as safe due to their contaminated state. In addition, the section specifies that if the Air Force has a continuing need for any or all of lands after the expiration date, and files an application for renewal of the withdrawal, the withdrawal will continue pending processing of the application and a decision on the proposed withdrawal by the Secretary of the Interior, and the Congress, as appropriate.

We strongly recommend enactment of this legislation.

The Las Vegas Bombing and Gunnery Range, now called Nellis Air Force Range, was established by Executive Order 8578 on October 29, 1940. Since then, the range has been the subject of two additional Executive Orders, nine public land orders, two memoranda of understanding, and one public law.

Indian Springs Auxiliary Air Field, which is contiguous to, and provides support for, the Nellis Air Force Range complex, was originally withdrawn by Public Land Order 58 on November 12, 1942. Three additional public land orders increased the acreage withdrawn for the installation to its present size of approximately 2,082 acres.

Public Land Orders 805, 1382, and 2568 transferred portions of the Nellis Air Force Range to the Atomic Energy Commission (now the Department of Energy) for development of the Nevada Test Site located between the north and south portions of the Nellis Range. The Nevada Test Site would not be withdrawn by H.R. 4932.

In November 1956, through a Memorandum of Understanding, the Air Force permitted the Atomic Energy Commission to utilize an additional 369,280 acres as a fully instrumented ballistic test range. This area is referred to as the Tonopah Test Range. The Air Force also entered into an agreement in November 1963 for use of 167,960 acres by the Atomic Energy Commission for underground explosion testing.

The Act of September 26, 1961, withdrew an additional 81,480 acres for the Nellis Range.

Approximately 826,000 acres of the Nellis Air Force Range overlap the western one-half of the Desert National Wildlife Range, which was first established by Executive Order 7373 of May 20, 1936.

The withdrawal created by the 1961 Act expired on September 25, 1976, and the withdrawal created by the three Executive Orders and three public land orders expired on February 16, 1977. In 1976, the Corps of Engineers, acting for the Air Force, filed two applications seeking continued use of almost all of the previously withdrawn lands, plus an additional 2,280 acres to replace 1,600 acres of the 1961 withdrawal which were relinquished to the U.S. Fish and Wildlife Service for use in connection with the Desert National Wildlife Range. By letter of November 13, 1981, the Air Force amended the existing Nellis Air Force Range application to add approximately 90,000 acres of public land proposed for uses related to national security.

The draft bill covers all land now in the Nellis Range, adjacent support facilities at Indian Springs, and the areas proposed for addition to the Range.

Legislation is required for the proposed withdrawal under the requirement of the Act of February 28, 1958, commonly known as the Engle Act. That Act provides that withdrawals of more than 5,000 acres of public land for any one project or facility of the Department of Defense shall be accomplished only by an Act of Congress. The 1976 applications for the Nellis withdrawal were processed in accordance with the provisions of the Engle Act and, where appropriate, in accordance with the provisions of section 204 of the Federal Land Policy and Management Act.

The legislation under consideration today was drafted by representatives of the Bureau of Land Management in close coordination with representatives of the Department of the Air Force and the other military departments. H.R. 4932 is only one of several military withdrawal bills that have been forwarded to the Congress for action. Because all of the proposed withdrawals are similar in nature, a decision was made early in the negotiation process that all of the military withdrawal bills forwarded to Congress would be similar in format and language.

Because many of the weapons used at Nellis have failed to detonate, significant portions of the range are heavily contaminated. Decontaminating the range, to the extent that public use or mineral exploration could be certified as safe, would be difficult to achieve at the present time because of the relatively primitive state of existing technology and the expense of available decontamination methods. However, as I said earlier, the bill establishes a procedure regarding the administration of contaminated lands following termination of the withdrawal. Briefly, the procedure involves the retention by the Air Force of the contaminated lands that cannot be certified as safe, but requires a review of that status every five years.

The minerals in the Nellis Range are gold, silver, copper, lead, zinc, mercury, tungsten, sand, gravel, and limestone. Since 1954, the Air Force has purchased or leased all of the private mineral rights within the Range, with the result that none of the minerals within the Range are being developed.

As I stated previously, approximately 826,000 acres of the 3,034,929 acres involved in the bill are within the Desert National Wildlife Range which is administered by the U.S. Fish and Wildlife Service.

The Desert National Wildlife Range, which comprises 1,588,779 acres, was established by President Roosevelt by Executive Order 7373 on May 20, 1936, for the protection and preservation of desert bighorn sheep. Management for bighorn sheep primarily consists of spring and water catchment maintenance at higher elevations. The Fish and Wildlife Service and the State of Nevada also monitor sheep populations and conduct a hunt if population levels permit.

Air Force activities on the Desert National Wildlife Range are conducted subject to a Memorandum of Understanding between the Department of the Air Force and the Department of the Interior that became effective on March 11, 1976. Although the Air Force's withdrawals for the Nellis Range have expired, continued military activities on the Desert National Wildlife Range have been permitted under the terms of the MOU.

The MOU authorizes the Air Force to use specified lands within, and the airspace above, the Desert National Wildlife Range for bombing, testing, gunnery and other training activities, but requires the Air Force to conduct its training activities in accordance with specified terms and conditions which are designed to protect the wildlife and environment within the Desert National Wildlife Range. For example, the MOU requires the Air Force to conduct all air-to-air gunnery operations within specified areas at elevations of at least 10,000 feet and to avoid all indiscriminate firing. To assure minimum disturbance to the natural environment, the manager of the wildlife range must approve all construction, relocation, or rehabilitation of any road, trail, target area, or military facility on the wildlife range prior to the commencement of such construction. The MOU also provides that all internal power lines and other equipment are to be shielded and/or armored to preclude exposure of wildlife to electrical current. Under the MOU, operation of remote stations is to be noiseless and antenna radiated energy levels must be equivalent to those of a five watt portable radio so as to present no hazard to, or interference with, any form of wildlife.

The two major valley floors in the area covered by the MOU, the area below the 3,600 foot contour in Indian Springs Valley and the area below the 4,000 foot contour in the Three Lakes Valley, are used by the Air Force for facilities and equipment testing. Use of these areas for such activities is acceptable to both the Fish and Wildlife Service and the Air Force because bighorn sheep do not normally utilize habitat below these elevations.

If H.R. 4932 is enacted, the Air Force and the Fish and Wildlife Service will continue to coordinate their activities under the present MOU or an amended version which is acceptable to both agencies. The term of the MOU will be concurrent with the term of the Air Force withdrawal. We believe that the MOU adequately regulates military activities on the Desert National Wildlife Range and thereby protects its wildlife resources.

Management of natural resources on lands other than those within the Desert National Wildlife Range is also accomplished on a cooperative basis. For example, a five-party cooperative agreement regarding natural resource management at the Nellis Range was signed on January 27, 1977, by the Nevada Department of Fish and Game, the Bureau of Land Management, the Air Force, the Fish and Wildlife Service, and the Energy Research and Development Administration (now the Department of Energy). The agreement instituted a program to protect, develop, and manage the fish, wildlife, watershed, vegetative resources, and the wild and free-roaming horses and burros on the installation's lands. Under the agreement, the five parties cooperate in conducting resource inventories of the area; developing resource management plans for fish, wildlife, and wild horses and burros; and carrying out management decisions.

In addition, the Air Force and the Bureau of Land Management agreed, in 1962, to establish the Nevada Wild Horse Range in the north-central portion of the Nellis Range for the protection of wild and free-roaming horses and burros. The Nevada Wild Horse Range, which comprises approximately 394,500 acres, is managed by the Bureau of Land Management in accordance with the provisions of the Wild Free-Roaming Horse and Burro Act of December 15, 1971.

Two portions of the proposed withdrawal area have not previously been withdrawn for the Department of Defense. One area, comprising 2,280 acres, lies along the southern boundary of the southern portion of the Nellis Range, while the other, a 90,000-acre area known as the Groom Mountains parcel, is adjacent to the most easterly boundary of the northern portion of the Nellis Range. The 2,280-acre area provides access to the southern portion of the Nellis Range, and the Groom Mountain parcel has been identified by the Air Force as necessary for use as a security zone. These areas will be subject to the same cooperative management practices as are utilized on the previously withdrawn areas.

Enactment of H.R. 4932 will merely authorize the Air Force to continue its use of Nellis Air Force Range in the same manner as it has used the majority of the lands since World War II. Management of the natural resources will continue in the same manner as has been practiced in the past. This means that the primary jurisdiction of the lands in the Desert National Wildlife Range, including the protection of its fragile resources, will be in the Fish and Wildlife Service which will manage the lands under the provisions of the 1976 MOU and the National Wildlife Refuge System Administration Act of 1966.

Primary jurisdiction of all other lands and resources within the Nellis Air Force Range would continue to be with the Bureau of Land Management. Exclusive jurisdiction over the lands for military and national defense purposes would remain with the Air Force. This means that the Air Force alone has control over military operations on the Nellis Air Force Range.

We have identified some typographical errors in the bill. We will be pleased to work with the Committee staff to eliminate the discrepancies.

This concludes my statement. I will be happy to respond to any questions on this bill.

NATIONAL WILDLIFE FEDERATION

1412 Sixteenth Street, N.W., Washington, D.C. 20036 202—797-6800

STATEMENT OF THE NATIONAL WILDLIFE FEDERATION
BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS
AND NATIONAL PARKS
OF THE HOUSE COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS
ON H.R. 4932 --
WITHDRAWAL OF PUBLIC LANDS
WITHIN THE NELLIS AIR FORCE RANGE

August 6, 1984

Mr. Chairman, I am Lynn A. Greenwalt, a Vice President of the National Wildlife Federation and head of our Resources Conservation Department.

The National Wildlife Federation (NWF) is the world's largest conservation-education organization with over 4 million members and supporters and 51 affiliated organizations representing the states and territories. Because of our interest in ensuring the wise use and sound management of this nation's natural resources, NWF has had a long history of involvement in issues affecting our wildlife and public lands. We have a particularly strong commitment to protecting the integrity of the National Wildlife Refuge System.

The proposed legislation before us today, H.R. 4932, would seriously jeopardize the integrity of one important unit of the refuge system, Desert National Wildlife Range (NWR), and would adversely affect sound natural resource management of other public lands in Nevada.

Desert NWR was established in 1936 to protect the desert bighorn sheep. In addition to providing essential habitat for the largest extant population of this species, Desert NWR supports over 300 other vertebrate species. More than half the refuge (826,000 acres) also is encompassed within the Nellis Air Force Range. Air Force use of Desert NWR for military air-to-ground weapons training began in World War II and continues today. However, these activities, which have been restricted to 154,080 acres not utilized by the bighorn sheep, have always been secondary to the needs of wildlife conservation, which prompted establishment of the refuge. Management of that portion of Desert NWR that lies within the Nellis Range has been conducted pursuant to Memoranda of Understanding between the Fish and Wildlife Service and Air Force. These interagency agreements have consistently placed wildlife conservation needs above all other uses of the refuge lands.

Because the interagency agreements have provided for adequate military use of the Desert NWR without compromising the primary wildlife purposes of these lands, NWF believes there is little or no justification for H.R. 4932. We recommend, therefore, that this Subcommittee and the Congress not act favorably on the proposed legislation. If this Subcommittee decides, notwithstanding our recommendation and that of others testifying today, to approve legislation to withdraw refuge and BLM lands for the Nellis Air Force Range, then we urge that the bill be modified in a number of critically important areas.

First, this Subcommittee should strongly reject the attempt made by H.R. 4932 to subordinate wildlife conservation on Desert NWR -- the primary purpose of the refuge -- to national defense uses. Specifically, although Section 1(a) of the bill, which withdraws Desert NWR lands for Air Force use, states that the National Wildlife Refuge System Administration Act of 1966 will continue to govern management of the withdrawn refuge lands, that assurance is conditioned by the proviso: "... except to the extent rendered necessary by national defense." (Emphasis added). Again in Section 2(b), the bill states that Desert NWR shall be managed by the Secretary of Interior in accordance with the Refuge Administration Act, but then completely undermines this grant of management authority with the condition "... except to the extent that other uses are required for purposes of national defense." (Emphasis added).

The exceptions in Sections 1(a) and 2(b) of H.R. 4932 provide the Air Force with unlimited discretion to determine what activities on Desert NWR are needed for national defense purposes. It is difficult to imagine any Air Force use of the withdrawn refuge lands that could not be construed as necessary for national defense. The result is that H.R. 4932 unacceptably subordinates the primary purpose of Desert NWR -- wildlife conservation -- to all military activities required for national defense purposes, regardless of whether these activities are compatible with the purpose for which the refuge was established. Therefore, NWF urges this Subcommittee to amend H.R. 4932 to maintain the balance between wildlife conservation and national defense needs that currently exists under the 1976 Memorandum of Understanding between the Fish and Wildlife Service and Air Force.

Second, Section 2(a) of H.R. 4932 further undermines balanced use not only of the Desert NWR but also of the BLM lands withdrawn by granting the Air Force "exclusive jurisdiction over the management of the lands for military purposes..." (Emphasis added). Management of withdrawn BLM lands for multiple uses is made "secondary to the military use of the lands and shall be authorized only with the concurrence of the Secretary of the Air Force." (Emphasis added). In this way H.R. 4932 unnecessarily and undesirably changes the present purposes and uses of the withdrawn lands and shifts responsibility for the affected lands away from the Department of the Interior. NWF urges this Subcommittee to re-write H.R. 4932 to reflect the current arrangement established by the Memoranda of Understanding between the Air Force and the Fish and Wildlife Service and the BLM. Such a revision to the bill is essential to allow the Air Force to meet its military training needs while providing for sound natural resource management and wildlife conservation.

Third, the final environmental impact statement prepared by the Bureau of Land Management and the Department of the Air Force for withdrawal of Nellis AFR does not address expansion of air-to-ground activities beyond that already in use. We believe, therefore, that the use of Desert NWR for these purposes should be restricted by this legislation to the 154,080 acres outlined in the March 11, 1976, Memorandum of Understanding between the Air Force and the Fish and Wildlife Service.

Finally, the language in Section 4 of H.R. 4932 pertaining to decontamination of the withdrawn lands is unacceptable. The bill would release the Air Force from a 12-year-old self-imposed directive (Air Force Manual 50-46) to decontaminate the surface of the withdrawn lands every five years. The Air Force currently conducts this surface decontamination using established funds. But H.R. 4932 would permit explosive or toxic debris to accumulate indefinitely even though the Air Force already indicates it is difficult to find and remove the hazardous material that accumulates over five years. Without periodic clearance, it is likely that even greater quantities of dangerous contamination will result as eroding soil and regenerating vegetation mask the presence of unexploded ordnance and other hazardous substances. Moreover, because the bill only requires decontamination if the Air Force and Interior Department agree that it is practicable and economically feasible and if Congress does not decide to withdraw funds for that purpose, it is very probable that the Desert NWR and BLM lands withdrawn will never be relinquished. Therefore, we encourage this Subcommittee to require continuation of current decontamination policies and to require further that the Air Force develop techniques for resolving sub-surface contamination.

In addition to our concerns about the management of the Desert NWR and other withdrawn lands, NWF strongly supports the Nevada Wildlife Federation's position that the U.S. Air Force should provide compensation for the loss of wildlife and recreational resources to the people of Nevada. We urge this Subcommittee to make the addition of any acreage to the Nellis Air Force Range contingent upon the Air Force's reaching a mutually satisfactory agreement with the State of Nevada to provide such compensatory mitigation.

Thank you for this opportunity to present our views.

STATE OF NEVADA
DEPARTMENT OF WILDLIFE
P.O. BOX 10678
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PRESENTATION TO HR 4932/S 2657

Mr. Chairman and Members of the Committee:

My name is Bob McQuivey and I represent the Nevada State Department of Wildlife. On behalf of our agency and the public which we serve, I would like to express our appreciation to this committee for providing the opportunity for public input on an issue which is of paramount importance and significance to Nevadans.

I would like to focus my comments this morning on two major items associated with House Bill Number 4932. The first issue of concern is the wording of the bill for that portion of the Desert National Wildlife Refuge which is used in common for the maintenance and perpetuation of desert bighorn sheep and for the military activities of the U.S. Air Force. The bill states that the refuge will continue to be managed under the National Wildlife System Administration Act of 1966 except to the extent rendered necessary by national defense. It is the statement relative to national defense on page 2 in addition to the reinforcement on pages 21 and 22 which gives the Secretary of the Air Force exclusive jurisdiction over the management of the lands for military purposes that is of primary concern to our agency and the public.

The Desert National Wildlife Refuge was established by Presidential Order in 1936 for the primary purpose of protecting and enhancing desert bighorn sheep. The area continues to be a stronghold for this magnificent and very important species as it currently supports approximately 40 percent of the bighorn sheep populations in Nevada. Not only is the desert bighorn sheep the Nevada state animal, but its value as a game species to the hunting public is evidenced by the fact that three individual clubs in Nevada raise annually, through donations, some $45,000 which is provided to the Department to assist in bighorn sheep management programs. You may also be interested to know that one hunter last year paid $67,500 for a single Nevada bighorn sheep tag which is authorized for annual auction.

The Nellis Bombing and Gunnery Range was also established by Executive Order, but not until 1940, four years after the establishment of the refuge. Because of the impending war, President Franklin D. Roosevelt in May of 1941 signed Proclamation Number 2487 which declared an unlimited national emergency. Seven months later Executive Order 9019 was signed by the President which provided for overlapping jurisdiction between the U.S. Air Force and the U.S. Fish and Wildlife Service. Although several other executive and public land orders followed shortly thereafter, it is important to note that all of the orders contained the following provision:

> "The jurisdiction granted by this order shall cease at the expiration of the six month period following the termination of the unlimited national emergency declared by Proclamation Number 2487 of May 27, 1941. Thereupon,

> jurisdiction over the lands hereby referred shall be vested in the Department of the Interior, and any other Department or agency of the federal government according to their respective interests then of record."

Knowing that exclusive jurisdiction of the refuge lands would revert to the U.S. Fish and Wildlife Service at the expiration of the national emergency proclamation on October 28, 1952, the U.S. Air Force entered into a cooperative agreement with the U.S. Department of the Interior on July 16, 1951. An amended version of that agreement allowed continued use of the refuge by the military.

Upon the pending termination of the MOU in 1961, the U.S. Air Force made a bid to the Congress during the 1960 session in the form of House Bill Number 10402. Hearings were held by the House Committee on Interior and Insular Affairs at that time to address many of the same concerns which are at issue today. Prior to the passage of the withdrawal bill in 1961, most of the major conflicts were resolved in the form of signed memorandums of understanding between the U.S. Air Force and the U.S. Department of the Interior in addition to a MOU between the U.S. Air Force and the Nevada State Department of Wildlife. That land withdrawal expired in 1976 and was replaced with an updated memorandum of understanding between the U.S. Air Force and the Department of Interior, a MOU which is still in effect today. That MOU provides for primary jurisdiction of the area by the U.S. Fish and Wildlife Service in addition to insuring our agency and the public that bighorn sheep management and recreational hunting opportunities will continue to be emphasized as part of the land use plan.

It is our belief that management of the desert bighorn sheep on the Desert National Wildlife Refuge should continue to be the primary land use activity with allowances for compatible military activity coordinated through the use of the existing MOU. Furthermore, we would recommend that the wording in the bill be made compatible with the existing MOU which states: The Department of the Interior, Fish and Wildlife Service has primary jurisdiction over lands within the Desert National Wildlife Range in accordance with Executive Order 7373 dated May 20, 1936, and Public Land Order 4079 dated August 26, 1966. Wording such as that expressed above would serve to assure the public that wildlife resources are not taking a backseat to other land uses. The bill under consideration today should mandate that the existing MOU remain in full force and effect for the duration of the land withdrawal order.

The second major issue which is of concern to our agency and the citizens of Nevada relates to the proposed withdrawal of some 89,000 acres in the vicinity of the Groom Mountain Range. Our agency, as well as other state agencies in Nevada, carefully reviewed and provided meaningful comment on the environmental impact statement for the Nellis Range withdrawal which was initiated in 1979 and completed in May of 1981. Our agency did not oppose the continued withdrawal of the Nellis Air Force Range as displayed in the EIS, so long as the integrity of the Desert National Wildlife Range was not jeopardized. We were somewhat dismayed to learn, in 1983, that an extension of the existing range was being proposed by the U.S. Air Force and had been under consideration since at least November of 1981, only six months after the completion of

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the EIS. We do not believe that keeping a proposal of this nature out of the public eye is an appropriate way for the U.S. Air Force to conduct business, particularly with respect to the doctrine of public trust.

Our agency certainly cannot argue as to the needs of the Groom Range by the U.S. Air Force for security purposes since that issue is outside our realm of expertise. We do believe, however, that if the federal government feels strongly enough to close the area to the residents of this state, they should also be willing to offset the losses through mitigation. The area provides 140 square miles of habitat for mule deer, mountain lions, chukar partridge, valley quail, rabbits, doves, and a variety of nongame birds and animals. The area has also supported furbearer trapping activities in the past and has been identified through the planning process as a prime bighorn sheep reintroduction site.

Our concerns relative to the recreational losses associated with wildlife within the Groom Range as well as throughout other portions of the Nellis Bombing Range is compounded when one considers that Nevada is the fastest growing state in the nation. Additional people in future years will necessarily result in additional demands for recreational opportunities. We would therefore request that as a means of offsetting these losses, the U.S. Air Force be required to compensate the State of Nevada by means of mitigation.

Our recommendations on potential mitigative measures associated with in-kind replacement include:

1. The possibility of opening other portions of the Nellis Bombing Range for controlled recreational hunting on a limited and closely monitored basis.

2. Provide the necessary funding for the select purchase of private property by the state in an attempt to enlarge existing wildlife management areas or to create new ones.

3. Provide the necessary funding for a water development program on adjacent public land areas to increase the distribution and abundance of wildlife populations of various species, especially bighorn sheep, Gambel's quail, and chukar partridge. Our best estimate at this time for sufficient funding to support water development and acquire the most significant private lands with the best potential for wildlife habitat development is 1.5 million dollars. We sincerely request your due consideration of mitigation in this amount to offset the wildlife associated recreational loss of the 89,000 acres on the Groom Range.

Again, I appreciate the opportunity to appear before this committee and sincerely hope you will give our comment all due consideration.

RICHARD H. BRYAN
Governor

STATE OF NEVADA

RICHARD L. REYBURN
Director

DEPARTMENT OF MINERALS
400 W. King Street, Suite 106
Carson City, Nevada 89710
(702) 885-5050

August 3, 1984

TO: Bob Loux, Director, Nuclear Waste Project Office

FROM: Richard L. Reyburn, Director

SUBJECT: Department of Minerals Assessment
Groom Range Area

The Groom Range Area (including Groom Lake and Bald Mountain) encompasses approximately 89,000 acres in T.4-8S., R.55-56E., western Lincoln County. Claims were staked in the Groom mining district before 1870. The Groom mine was discovered in 1864. This district is noted for lead and silver, and is located in the south end of the Groom Range in T.7S., R.55E.

The Sheahan family acquired properties in the area in 1885, and steadily produced lead and zinc ore at various intervals. From 1942 to 1956, the area was mined in partnership with the International Mining Corporation. The Groom district is a 2,000 foot wide, complexly faulted graben (downthrown structural block), consisting of Cambrian Pioche Shale, Lyndon Limestone, Chisholm Shale and the Peasley Member of the Highland Peak Formation which is faulted into the Prospect Mountain Quartzite. This area is characterized by 1,000-2,000 feet of displacement along a thrust fault and 3,000 feet of displacement along a Main normal fault described by Humphrey (1945).

The productive ore bodies are replacement deposits in limestones within the graben on the hanging wall of the Main fault. These bedded deposits occur in three thin limestone beds in the upper part of the Pioche Shale. Lead occurs as galena, and can average 4-5%. Deeper mineralization may also occur below the 400 foot level in the Pioche Shale. The silver ores of cerussite and anglesite occur at the 50 foot level. Zinc ore as sphaelerite is found in association with the lead and silver ores, and ranges from a trace to 22 percent. Minor copper ore, as chalcopyrite averages 0.35 percent.

The nearby Black Metal mine contains 6 to 22 percent zinc which occurs in the Lyndon Limestone. Gold prospects also occur along breccia zones in quartzite in areas 5 miles northwest of the Groom mine and 12 miles north of the Groom mine. Mr. C. G. Dennis, in a geologic report of the Groom mine submitted to the Nevada Bureau of Mines and Geology on March 10, 1924 stated, "The lower adit was started 850 feet from the lode in the lime-shale and south of the ore-bearing zone and was driven 800 feet (Sheahan's statement) and then stopped on account of lack of funds... The evidences of metasomatism [intrusion of hydrothermal solutions] throughout the rim of the area are apparent on every side, and this fact, coupled with the actual ore occurrence in the lime reef, indicates, in my opinion, that ore deposits of commercial magniture are likely to be found outside and away from the zone thus far developed." It is also interesting to note that jasperoid-type ore deposits similar to the ones found in the Pioche Shale at the Groom mine are host to dessiminated gold deposits in eastern Nevada.

The Don Dale mining district is near the north end of the Groom Range, north of Bald Mountain in T.4-5S., R.55-56E. This district was organized around 1945, although mining activity in this area occurred much earlier. This area contains the Don Dale and Andies mines where mineral deposits of gold, silver, lead, mercury and minor copper occur near granitic stocks and dikes, within quartz veins along fractures in these systems. The Don Dale mine is located in shaly limestone and quartzite of the Cambrian Pioche Shale Formation. It was mined predominantly for silver, lead and copper minerals in a quartz gangue. The Andies mine in Sec. 4, T.5S., R.56E. is in argillized rhyolite containing cinnabar (mercury ore). The mercury content of this area ranged from 3-30 pounds per ton. The presence of mercury in this area may also be an indicator for micron gold mineralization at depth.

As detailed in the above information, the proposed withdrawal has a potential impact of extreme magnitude on the minerals industry; therefore, the Department of Minerals recommends an Environmental Impact Statement be completed prior to final withdrawal considerations. We recommend that this area be fully investigated for its economic mineral potential. The presence of known mineralization and production warrants further geochemical and geophysical investigation before alternative land usages are proposed. It is also felt that the pediment to the south of this area (alluvial fan sediments and deposits) near Groom Lake in T.7-8S., R.55E. may contain appreciable mineralization.

Mr. Joe Tingley of the Nevada Bureau of Mines and Geology was very helpful in compiling this report. He also provided recent assay data on mineralization on the flanks of the Groom Range, which are presented with this report.

RLR:wf

pc: Governor Richard Bryan

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...MODITIES PRESENT C10<AG . . W|PB . . W|CU . . W|ZN . . W|AU . . W|BA . . W| . . . W| . . . W| . . . W| . . . W| . . .

...MINERALS C20<GALENA (ARGENTIFEROUS), SMITHSONITE, CERUSSITE, ANGLESITE, BARITE, CHALCOPYRITE, TETRAHEDRITE

...MMODITY SUBTYPES C41<

...ANALYTICAL DATA C43<AVG. 1-4% ZN, > 22% PB; AG RUNS 0.33 oz/1% PB WITH ONLY VERY MINOR AU; 0.35% CU.

...INFO. COMMENTS C50<ORE SAID TO RUN 35-60% PB, 11-23 oz/t AG GROOM DISTRICT - GROOM RANGE

...IGNIFICANCE

PRODUCER

...OR PRODUCTS MAJOR<AG . . W|PB . . W| . . . W| . . . |>

...OR PRODUCTS MINOR<CU . . W|ZN . . W|AU . . W| . . . |>

...NTIAL PRODUCTS POTENT<. . . W| . . . W| . . . W| . . . |>

...URRENCES OCCUR<BA . . W| . . . W| . . . W| . . . |>

NON-PRODUCER

MAIN COMMODITIES PRESENT C11< . . . W| . . . W| . . . W| . . .

MINOR COMMODITIES PRESENT C12< . . . W| . . . W| . . . W| . . .

OCCURRENCES OCCUR< . . . W| . . . W| . . . W| . . .

•PRODUCTION

PRODUCER

...UCTION [✓ YES] (circle) PRODUCTION SIZE SML [✓ MED] LGE (circle one)

NON-PRODUCER

PRODUCTION UND NO (circle one)

...ATUS EXPLORATION OR DEVELOPMENT

PRODUCER

STATUS AND ACTIVITY A20<4>

NON-PRODUCER

STATUS AND ACTIVITY A20< >

...COVERER L20<W.P. OSBORN

...R OF DISCOVERY L10<1864> NATURE OF DISCOVERY L30< > YEAR OF FIRST PRODUCTION L40<ca 1865> YEAR OF LAST PRODUCTION L45<1956

...SENT/LAST OWNER A12<SHEAHAN

...SENT/LAST OPERATOR A13<INTERNATIONAL MINING CORP AND DAN SHEAHAN (1937-1944) (1956)

.../DEV COMMENTS L170<W.P. OSBORN HAD THE CLAIMS PATENTED IN 1860's, BUILT A SMELTER AT HIKO. HIS ENTERPRISE FAILED, AND THE PATENTS REVERTED TO THE U.S. GOV'T. SHEAN, OSBORN AND WHEATLEY LOCATED NEW CLAIMS, TOGETHER WITH PAGE ESTATE INTERESTS (1920's) ON

DESCRIPTION OF DEPOSIT

...OSIT TYPE(S) C40<FAULT/BEDDED REPLACEMENT, FISSURE

...OSIT FORM/SHAPE M10<TABULAR

...TH TO TOP M25< > UNITS M21< >

...TH TO BOTTOM M30<390> UNITS M31<FT> MAXIMUM LENGTH M40<2000> UNITS M41<FT

...OSIT SIZE M15<SMALL> [✓ M15<MEDIUM>] M15<LARGE> (circle one) MAXIMUM WIDTH M50<300> UNITS M51<FT

...KE M70<NORTH> MAXIMUM THICKNESS M60<75> UNITS M61<FT

...CTION OF PLUNGE M100< > DIP M80<25°-46 WEST

PLUNGE M90<

...DESC. COMMENTS M110<THE PIERCE SHAFT HAS NOT BEEN EXPLORED BELOW 390 FT DESPITE THE ...

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COMMODITY INFORMATION

COMMODITIES PRESENT C10 < AU
MINERALS C20 < GOLD
COMMODITY SUBTYPES C21 <
GEN. ANALYTICAL DATA C40 < ONE SAMPLE FROM SMALL ORE DUMP ASSAYED .08 OUNCES PER TON AU
COM. INFO. COMMENTS C21 < GROOM DISTRICT - GROOM RANGE

- SIGNIFICANCE

PRODUCER

MAJOR PRODUCTS MAJOR <
MINOR PRODUCTS MINOR <
POTENTIAL PRODUCTS POTEN <
OCCURRENCES OCCUR <

NON-PRODUCER

MAIN COMMODITIES PRESENT C11 < AU
MINOR COMMODITIES PRESENT C12 <
OCCURRENCES OCCUR <

•PRODUCTION

PRODUCER

PRODUCTION YES (circle) PRODUCTION SIZE SML MED LGE (circle one)

NON-PRODUCER

PRODUCTION UND [✓ NO] (circle one)

•STATUS

EXPLORATION OR DEVELOPMENT

PRODUCER

STATUS AND ACTIVITY A20 < >

NON-PRODUCER

STATUS AND ACTIVITY A20 < 2 >

DISCOVERER L30 <
YEAR OF DISCOVERY L10 < > NATURE OF DISCOVERY L30 < > YEAR OF FIRST PRODUCTION L40 < > YEAR OF LAST PRODUCTION L40 <
PRESENT/LAST OWNER A12 <
PRESENT/LAST OPERATOR A13 <
EXPL/DEV COMMENTS L110 <

DESCRIPTION OF DEPOSIT

DEPOSIT TYPE(S) C40 < FRACTURE / BRECCIA ZONE
DEPOSIT FORM/SHAPE M10 < TABULAR
DEPTH TO TOP M20 < > UNITS M21 < > MAXIMUM LENGTH M40 < > UNITS M41 <
DEPTH TO BOTTOM M30 < 60 > UNITS M31 < FT > MAXIMUM WIDTH M50 < 0.5 > UNITS M51 < FT
DEPOSIT SIZE [✓ M15 < SMALL >] M15 < MEDIUM > M15 < LARGE > (circle one) MAXIMUM THICKNESS M60 < > UNITS M61 <
STRIKE M70 < NORTHERLY > DIP M80 < WESTERLY
DIRECTION OF PLUNGE M100 < > PLUNGE M90 <
GEOLOGIC COMMENTS M110 < MINERALIZATION IS VERY SPOTTY IN GOLD-BEARING QUARTZITE BRECCIA

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MMODITIES PRESENT C10 <Z.N. | P.B. | | | | | | | | | | | |

F MINERALS C20 <SPHALERITE, GALENA; "ROSINJACK" AND "BLACKJACK"

MMODITY SUBTYPES C41 <

L ANALYTICAL DATA C43 <6-33 % ZN, 30 % PB

M INFO. COMMENTS C50 < GROOM DISTRICT · GROOM RANGE

SIGNIFICANCE

	PRODUCER		NON PRODUCER
JOR PRODUCTS	MAJOR <Z.N. | P.B. | | | >	MAIN COMMODITIES PRESENT C11	< | | |
OR PRODUCTS	MINOR < | | | >	MINOR COMMODITIES PRESENT C12	< | | |
NTIAL PRODUCTS	POTEN < | | | >		
CURRENCES	OCCUR < | | | >	OCCURRENCES	OCCUR < | | |

*PRODUCTION

PRODUCER

ODUCTION [✓ YES] (circle) PRODUCTION SIZE [✓ SML] MED LGE (circle one)

NON-PRODUCER

PRODUCTION UND NO (circle one)

TATUS

EXPLORATION OR DEVELOPMENT

PRODUCER

STATUS AND ACTIVITY A20 <4>

NON-PRODUCER

STATUS AND ACTIVITY A20 < >

COVERER L30 <

AR OF DISCOVERY L10 <~1917 or before> *NATURE OF DISCOVERY L20 < > *YEAR OF FIRST PRODUCTION L40 < > *YEAR OF LAST PRODUCTION L45 <

SENT/LAST OWNER A12 <GROOM SOUTH END MINING CO. (1916)

SENT/LAST OPERATOR A13 <

L/DEV. COMMENTS L110 <A SMALL AMOUNT OF ORE WAS SHIPPED

DESCRIPTION OF DEPOSIT

POSIT TYPE(S) C40 <FAULT / FISSURE, REPLACEMENT

OSIT FORM/SHAPE M10 <TABULAR

TH TO TOP M20 < > *UNITS M21 < >

TH TO BOTTOM M30 < > *UNITS M31 < > *MAXIMUM LENGTH M40 < > *UNITS M41 <

POSIT SIZE [✓ M15 <SMALL>] M16 <MEDIUM> M17 <LARGE> (circle one) *MAXIMUM WIDTH M50 < > *UNITS M51 <

*MAXIMUM THICKNESS M60 < 8 > *UNITS M61 <FT

KE M70 < > *DIP M80 <

CTION OF PLUNGE M100 < > *PLUNGE M90 <

DESC. COMMENTS M110 <

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COMMODITY INFORMATION

OMMODITIES PRESENT C10 <AU?, AG, CU, MN, , , , , , ,

ORE MINERALS C30 <MALACHITE

COMMODITY SUBTYPES C45 <

CHEM. ANALYTICAL DATA C40 <SAMPLE 1970 CONTAINS 2000 PPM MN, 5 PPM AG, 150 PPM BA, 200 PPM PB, 300 PPM ZN

GEOL. INFO. COMMENTS C50 < DON DALE DISTRICT - GRANITE RANGE

SIGNIFICANCE

PRODUCER

AJOR PRODUCTS MAJOR < , , >

NOR PRODUCTS MINOR < , , >

OTENTIAL PRODUCTS POTEN < , , >

CURRENCES OCCUR < , , >

NON-PRODUCER

MAIN COMMODITIES PRESENT C11 <AU?, AG, CU, ,

MINOR COMMODITIES PRESENT C12 < , , ,

OCCURRENCES OCCUR <MN, , ,

•PRODUCTION

PRODUCER

ODUCTION YES (circle) PRODUCTION SIZE SML MED LGE (circle one)

NON-PRODUCER

PRODUCTION [✓ UND] NO (circle one)

EXPLORATION OR DEVELOPMENT

STATUS

PRODUCER

STATUS AND ACTIVITY A20 < >

NON-PRODUCER

STATUS AND ACTIVITY A20 <2>

SCOVERER L20 <

EAR OF DISCOVERY L10 < > NATURE OF DISCOVERY L30 < > YEAR OF FIRST PRODUCTION L40 < > YEAR OF LAST PRODUCTION L46 <

ESENT/LAST OWNER A12 <

ESENT/LAST OPERATOR A13 <

R./DEV. COMMENTS L110 <NO ACTIVITY AT TIME OF EXAMINATION IN 1983

DESCRIPTION OF DEPOSIT

POSIT TYPE(S) C60 <VEIN

POSIT FORM/SHAPE M10 <TABULAR

TH TO TOP M20 < > UNITS M21 < > MAXIMUM LENGTH M40 < > UNITS M41 <

TH TO BOTTOM M30 < > UNITS M31 < > MAXIMUM WIDTH M50 < > UNITS M51 <

OSIT SIZE [✓ M15]<SMALL> M15<MEDIUM> M15<LARGE> (circle one) MAXIMUM THICKNESS M60 <2> UNITS M61 <FT

KE M70 <N55 > DIP M80 <90?

ECTION OF PLUNGE M100 < > PLUNGE M90 <

DESC. COMMENTS M110 <WORKINGS EXPOSE MASSIVE WHITE QUARTZ VEIN, HIGHLY SHATTERED AND BRECCIATED, PROMINENT SHEARING

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PRESENT C10 <PB . . |AG . . |CU . . |MN . . | . . . | . . . | . . . | . . . | . . . | . . . | . . . | . . .

MINERALS C30 <COPPER CARBONATES, CHALCOPYRITE, TETRAHEDRITE(?), GALENA, MANGANITE

COMMODITY SUBTYPES C31 <

DON DALE DISTRICT - GROOM RANGE

ANALYTICAL DATA C40 <300 TONS OF ORE WAS SHIPPED; SAMPLED 1968 AND 1969 CONTAIN, RESPECTIVELY, 18 AND 7.5% [illegible]

INFO. COMMENTS C50 <

SIGNIFICANCE

PRODUCER

PRODUCTS MAJOR <PB . . |AG . . |CU . . | . . . >

PRODUCTS MINOR < . . . | . . . | . . . | . . . >

PRODUCTS POTEN < . . . | . . . | . . . | . . . >

OCCURRENCES OCCUR < . . . | . . . | . . . | . . . >

NON-PRODUCER

MAIN COMMODITIES PRESENT C11 < . . . | . . . | . . . | . . .

MINOR COMMODITIES PRESENT C12 < . . . | . . . | . . . | . . .

OCCURRENCES OCCUR < . . . | . . . | . . . | . . .

PRODUCTION

PRODUCER

PRODUCTION [✓ YES] (circle) PRODUCTION SIZE [✓ SML] MED LGE (circle one)

NON-PRODUCER

PRODUCTION UNKD NO (circle one)

STATUS

EXPLORATION OR DEVELOPMENT

PRODUCER

STATUS AND ACTIVITY A20 <4>

NON-PRODUCER

STATUS AND ACTIVITY A20 < >

COVERER L20 <

AR OF DISCOVERY L10 <about 1945 or earlier> NATURE OF DISCOVERY L30 < > YEAR OF FIRST PRODUCTION L40 < > YEAR OF LAST PRODUCTION L45 <

PRESENT/LAST OWNER A12 <

PRESENT/LAST OPERATOR A15 <

/DEV COMMENTS L110 <DISTRICT ORGANIZED IN 1945; THE MINE WAS FORMERLY INCLUDED IN TEMPIUTE DISTRICT

ACTIVITY IN 1953; LAST CLAIM NOTICE DATE 1964

DESCRIPTION OF DEPOSIT

DEPOSIT TYPE(S) C60 <VEIN

DEPOSIT FORM/SHAPE M10 <TABULAR

DEPTH TO TOP M20 < > UNITS M21 < > MAXIMUM LENGTH M40 < > UNITS M41 <

DEPTH TO BOTTOM M30 < > UNITS M31 < > MAXIMUM WIDTH M50 < > UNITS M51 <

OSIT SIZE [✓ M15 <SMALL>] M15 <MEDIUM> M15 <LARGE> (circle one) MAXIMUM THICKNESS M60 < > UNITS M61 <

STRIKE M70 < N66E > DIP M80 <

DIRECTION OF PLUNGE M100 < > PLUNGE M90 <

DESC COMMENTS M110 <VEIN CONTAINS OXIDES OF PB, AG & CU IN A QUARTZ GANGUE. ALSO ORE MINERALS IN A

SET OF N-S CROSS-FRACTURES DIPPING 40-60 E. AN ORE SHOOT AT THE INTERSECTION OF THE VEIN AND A FRACTURE WAS [illegible]

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COMMODITY INFORMATION

MMODITIES PRESENT C10 <Au
E MINERALS C20 <GOLD
OMMODITY SUBTYPES C41 < DEW DALE DISTRICT - GROOM RANGE
N. ANALYTICAL DATA C40 <
M. INFO COMMENTS C50 < GOLD NUGGETS WITH SIZE OF A GRAIN OF WHEAT RECOVERED BY [illegible] SAMPLES BELOW WORKINGS

SIGNIFICANCE

PRODUCER

AJOR PRODUCTS MAJOR <
NOR PRODUCTS MINOR <
TENTIAL PRODUCTS POTEN <
CCURRENCES OCCUR <

NON-PRODUCER

MAIN COMMODITIES PRESENT C11 <Au
MINOR COMMODITIES PRESENT C12 <
OCCURRENCES OCCUR <

PRODUCTION

PRODUCER

DUCTION YES (circle) PRODUCTION SIZE SML MED LGE (circle one)

NON-PRODUCER

PRODUCTION [✓ UND] NO (circle one)

EXPLORATION OR DEVELOPMENT

TATUS

PRODUCER

STATUS AND ACTIVITY A20 <>

NON-PRODUCER

STATUS AND ACTIVITY A20 <3>

SCOVERER L20 <
AR OF DISCOVERY L10 <> NATURE OF DISCOVERY L30 <> YEAR OF FIRST PRODUCTION L40 <> YEAR OF LAST PRODUCTION L60 <
ESENT/LAST OWNER A12 <
ESENT/LAST OPERATOR A13 <
PL./DEV.COMMENTS L110 <

DESCRIPTION OF DEPOSIT

POSIT TYPE(S) C40 < UNKNOWN - SOME PLACER BELOW WORKINGS
POSIT FORM/SHAPE M10 <
PTH TO TOP M20 <> UNITS M21 <> MAXIMUM LENGTH M40 <> UNITS M41 <
PTH TO BOTTOM M30 <> UNITS M31 <> MAXIMUM WIDTH M50 <> UNITS M51 <
POSIT SIZE [✓ M15 <SMALL>] M15 <MEDIUM> M15 <LARGE> (circle one) MAXIMUM THICKNESS M60 <> UNITS M61 <
IKE M70 <> DIP M80 <
ECTION OF PLUNGE M100 <> PLUNGE M90 <
ESC. COMMENTS M110 < SPOTTY GOLD VALUES

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COMMODITY INFORMATION

S PRESENT C10 < HG, MAG, BA, M, M, M, M, M, M, M, M, M >

NERALS C20 < CINNABAR, METACINNABAR

MODITY SUBTYPES C11 < DON DALE DISTRICT - GROOM RANGE

ANALYTICAL DATA C43 < 3 [illegible] OF HG WERE TAKEN FROM THE [illegible] 4 LB HG / TON CONC.

INFO. COMMENTS C30 < GRADE OF MERCURY IS DIRECTLY PROPORTIONAL TO INTENSITY OF [illegible] AND ALTERATION

IGNIFICANCE

PRODUCER

ON PRODUCTS MAJOR < HG, M, M, M >

OR PRODUCTS MINOR < , M, M, M >

NTIAL PRODUCTS POTEN < AG, M, M, M >

URRENCES OCCUR < BA, M, M, M >

NON-PRODUCER

MAIN COMMODITIES PRESENT C11 < , M, M, M >

MINOR COMMODITIES PRESENT C12 < , M, M, M >

OCCURRENCES OCCUR < , M, M, M >

PRODUCTION

PRODUCER

DUCTION [✓ Y] (circle) PRODUCTION SIZE [✓ SML] MED LGE (circle one)

NON-PRODUCER

PRODUCTION UND NO (circle one)

EXPLORATION OR DEVELOPMENT

ATUS

PRODUCER

STATUS AND ACTIVITY A30 < 5 >

NON-PRODUCER

STATUS AND ACTIVITY A30 < >

OVERER L30 < C.A. ANDERSON

OF DISCOVERY L10 < 1919 > NATURE OF DISCOVERY L30 < > YEAR OF FIRST PRODUCTION L40 < 1955 > YEAR OF LAST PRODUCTION L45 <

ENT/LAST OWNER A12 < DON AND CARL WILLIAMS, ST. GEORGE UTAH (SEPT. 1983 CLAIM OWNERS); H.E. BRODSKY (1977)

ENT/LAST OPERATOR A13 <

/DEV. COMMENTS L110 < DRILL HOLES AND EXPLORATION IN 1970's BY [illegible] URANIUM CORP. CLAIMS CURRENTLY ACTIVE IN 1983, ASSESSMENT WORK ONLY [illegible] - DRILLING, ROADS REPAIRED. LOCATION AND CORNER MARKERS REPORTED, EST. 1400.; IN 1988, ASSESSMENT WORK CONSISTED EXPLORATORY CUTS AND SAMPLING, ROAD REPAIRS. IN 1956, GRADE INDICATED FAVORABILITY OF OPEN-PITTING LARGE TONNAGE >

DESCRIPTION OF DEPOSIT

SIT TYPE(S) C40 < DISSEMINATED IN FAULTS AND FRACTURES

SIT FORM/SHAPE M10 < BLANKET >

TO TOP M20 < 5 TO 40 > UNITS M21 < FT > MAXIMUM LENGTH M40 < 300 > UNITS M41 < FT >

TO BOTTOM M30 < > UNITS M31 < > MAXIMUM WIDTH M50 < 100 > UNITS M51 < FT >

SIT SIZE [✓ M15 (SMALL)] M15 (MEDIUM) M15 (LARGE) (circle one) MAXIMUM THICKNESS M60 < 45 > UNITS M61 < FT >

M70 < NE PREDOMINANTLY > DIP M80 < NEARLY FLAT-LYING >

TION OF PLUNGE M100 < > PLUNGE M90 < >

C. COMMENTS M110 < CINNABAR OCCURS AS SCATTERED CRYSTALS, THIN VEINLETS AND COATINGS ON FRACTURE SURFACES IN ALTERED [illegible], AND AS METACINNABAR IN SILICIFIED/[illegible] [illegible] BRECCIA. MINERALIZED STRATA ARE SEPARATED BY [illegible]

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PROPERTY NAME:

OTHER NAMES:

MINERAL COMMODITY(IES): Au?, Ag?

TYPE OF DEPOSIT: Vein

ACCESSIBILITY: See map, road good

OWNERSHIP: Unknown

PRODUCTION: None

HISTORY: None

County: Lincoln

Mining District: Don Dale

AMS Sheet: Caliente

Quad Sheet: White Blotch Sprin

Sec. 34 T. 4S R. 5

Coordinate (UTM):

North 4 1 5 7 0 0 0 m

East 0 6 0 8 5 0 0 m

Zone +11

DEVELOPMENT: Trench/surface scrapping along slope, probably assessment work.

ACTIVITY AT TIME OF EXAMINATION: None

GEOLOGY: Workings expose massive quite quartz vein, highly shattered and brecciated. Containing fragments of quartz porphyry intrusive and carrying minor pyrite, oxidizing to hematite and gossan. The vein is heavily stained with Fe-Mn oxides. Vein cuts bluish-shale (Pioche?). Additional quartz veins outcrop upslope from site.

Vein trends N55E approximately 2 feet wide, assume vertical, but can't sav for sure. Prominent shearing perpenticular to vein. Vein is probably filling a fault which separates shale from overlying quartzite. Malachite was observed in float near bv.

REMARKS: Sample Site 1470

REFERENCES:

EXAMINER: Smith/Bentz

DATE VISITED: October 5, 1983

PROPERTY NAME: Blue Bird Claims
OTHER NAMES: Don Dale Mine
MINERAL COMMODITY(IES): Ag, Pb, Cu
TYPE OF DEPOSIT: Vein
ACCESSIBILITY: See map, road good
OWNERSHIP: Unknown
PRODUCTION: 200 tons ore
HISTORY: Organized 1945, prior had been included in Tempiute District, mines older

County: Lincoln
Mining District: Don Dale
AMS Sheet: Caliente
Quad Sheet: White Blotch Spring
Sec. 34 T 4S R 55E
Coordinate (UTM):
North 4156475 m
East 0608400 m
Zone +11

DEVELOPMENT: Single partially caved, several surface cuts/prospect pits in vicinity, dozer scrapings (assessement work?) along east and west facing slopes of canyon, road maintained (probably due to microwave site on ridge)

ACTIVITY AT TIME OF EXAMINATION: None, last claim notice date 1964 .

GEOLOGY: Adit located in micaceous, bluish-green to grey shale (lower unit of Pioche Shale. 6? thinly bedded, fissile, following hornsfelsic zone, (approximately 3 feet wide), adjacent to quartz porphyry intrusive. Porphyry bleached and argillically altered with most mafics gone. Intrusive and shale units highly fractured and altered. Prospect Mountain Quartzi observed in float. Mineralization appears to be confined to intrusive and consists of pyrite, chalcopyrite, and probably tetrahedrite. No mineralization was observed in the shale. All rocks were heavily stained with iron and manganese oxides. Post-mineralizati silica coated rock surfaces.* Approximately 50 yards west of main adit a very minor surface cut was sampled. Surface scrapings revealed quartz vein cutting quartzite.

Very fine grained pyrite, chalcopyrite, and galena/tetrahedrite were finely disseminat in the quartzite and vein. Rocks highly fractured and FeOx stained. Quartz vein is estimated 8 feet wide, unable to determine attitude due to overlying alluvium/soils. Vein sacchroidal, vuggy, lined with euhedral quartz crystals.

* Very fine sprays of malachite coat exposed rock surfaces and fill fine fractures of the porphyry. Ore on dump was slightly gossany. Shale and quartzite breccia observed on dum

** Hydrothermal

REMARKS: Sample Site 1468 Adit
1469 Quartz vein

REFERENCES:

EXAMINER: Smith/Bentz
DATE VISITED: October 5, 1983

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PROPERTY NAME: ANDIES MINE

OTHER NAMES: MDDS 1-13 Claims

MINERAL COMMODITY(IES): Hg

TYPE OF DEPOSIT: Disseminated

ACCESSIBILITY: See map, road fair

OWNERSHIP: Don and Carol Williams
St. George, UT Sept. 1983

PRODUCTION: 2 flasks

HISTORY: Mercury disc. 1919, intermittently drilled and explored in 1950's, 2 flasks produced 1955, claims currently active.

County: Lincoln

Mining District: Don-Dale

AMS Sheet: Caliente

Quad Sheet: Tempiute 15'

Sec. 36 T 4S R 59E

Coordinate (UTM):

North 4,1,5,7,6,5,0 m

East 0,6,1,0,8,0,0 m

Zone +11

DEVELOPMENT: Remains of old cabins, partially caved shaft, extensive surface trenching and cuts, abundant roads.

ACTIVITY AT TIME OF EXAMINATION: Assessment work, core drilling, roads repaired, location and corner markers reported, est. $1,400; in 1982, assessment work consisted of exploratory cuts and sampling, road repairs.

GEOLOGY: Workings explore argillically altered rhyolite ash tuffs with disseminated grain and veinlets of crystalline cinnabar. Ash unit shows bedding, is highly fractured, and stained with hematite. Ash unit covers approximately [illegible] square mile. Cinnabar occurs as fresh grains, crystals, clots and fine stringers disseminated throughout the altered rhyolite, and as meta-cinnabar in silicified/opalized rhyolite breccia.* Paleozoic limestones outcrop in hills to the west and iron-stained volcanics(andesite cropout to the north.

* Remnant smokey quartz crystals and muscovite occur in the ash. Yellow oxides along with Fe-Mn oxides stain exposed surfaces.

Small micro-breccia seen in rib of silicified rhyolite which cropsout on the small hill between camp and the mercury pits. Brecciated pyrite, cemented by more pyrite and quartz forms the breccia

REMARKS: Sample Site 1467 - Mercury pit.
Sample Site 580 - silicified rib, SE of pit.

REFERENCES: NBMG Bulletin 73

EXAMINER: Smith/Bentz

DATE VISITED: 10/5/83

SIERRA CLUB

Toiyabe Chapter – Nevada and Eastern California

Statement of Jeff van Ee

Before the House Subcommittee on Public Lands & National Parks, August 6, 1984

Mr. Chairman, and distinguished members of this subcommittee, I am a member of the Sierra Club from Las Vegas, Nevada. I was chairman of the Las Vegas Group of the Sierra Club from 1977-1978 and chairman of the Nevada chapter from 1979-82. I lived in the Chicago area for 22 years, but for the last 12 years I have lived in Nevada. Among the environmental awards I have received is the 1983 Nevada Wildlife Federation's "Governor's Conservation Award - Conservationist of the Year." This capsule biography outlines the experience that I will draw upon in presenting the Sierra Club's positions on several aspects of H.R. 4932.

The Sierra Club objects to the manner in which the United States Air Forceseized control of 89,000 acres of public land adjacent to Area 51 of the Nevada Test Site. These objections are succintly stated in the attached resolution, which was adopted on July 22, 1984, by the Toiyabe Chapter of the Sierra Club . A possible mitigating measure is given and the attached proposal goes into the details.

The Sierra Club objects to the Air Force gaining exlusive jurisdiction to the management of lands presently administered by the Bureau of Land Management and the U.S. Fish and Wildlife Service. Past actions of the Air

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Force in managing wildlife have been terrible with Air Force helicopters being used to ferry hunting supplies and beer to hunting camps in a wilderness study area in central Nevada. Wild horses on the Nevada Wild Horse Range within the Nellis Air Force Base Bombing Range are facing starvation this year because of poor management practices by the Air Force.

Nevada has one wilderness area on the Idaho-Nevada border and many potential wilderness areas within the state. As the attached post cards depict, Nevada has many areas worthy of wilderness designation; yet, Nevada stands alone as being the only state with Forest Service lands that has no wilderness bill before this Congress. This committee could help change this by adding to the National Wilderness Preservation System select Forest Service lands and lands in the Desert National Wildlife Range. Strong public support was expressed in 1974 for wilderness designation of the Desert National Wildlife Range lands. These lands are presently being managed as a "defacto" wilderness area adjacent to the Las Vegas metropolitan area and the area covered in H.R. 4932.

Mr. Chairman, hasty action on H.R. 4932 would preclude a number of options. The request by many Nevadans for relief from the Air Force's actions in the Groom Range area may be precluded; thus, Nevadans who strongly support a strong national defense and who have contributed to that goal loyally in the past will ask themselves, as they are asking you today, whether Nevada must continue to be viewed as a good place for unpopular programs such as: the MX, a high level nuclear waste repository site, supersonic testing ranges for military aircraft, or the place to explode nuclear weapons that have, at times, spread nuclear fallout over their lands. This perception leads some Nevadans to support the Sagebrush Rebellion and to resist Congressional efforts to protect environmentally sensitive lands.

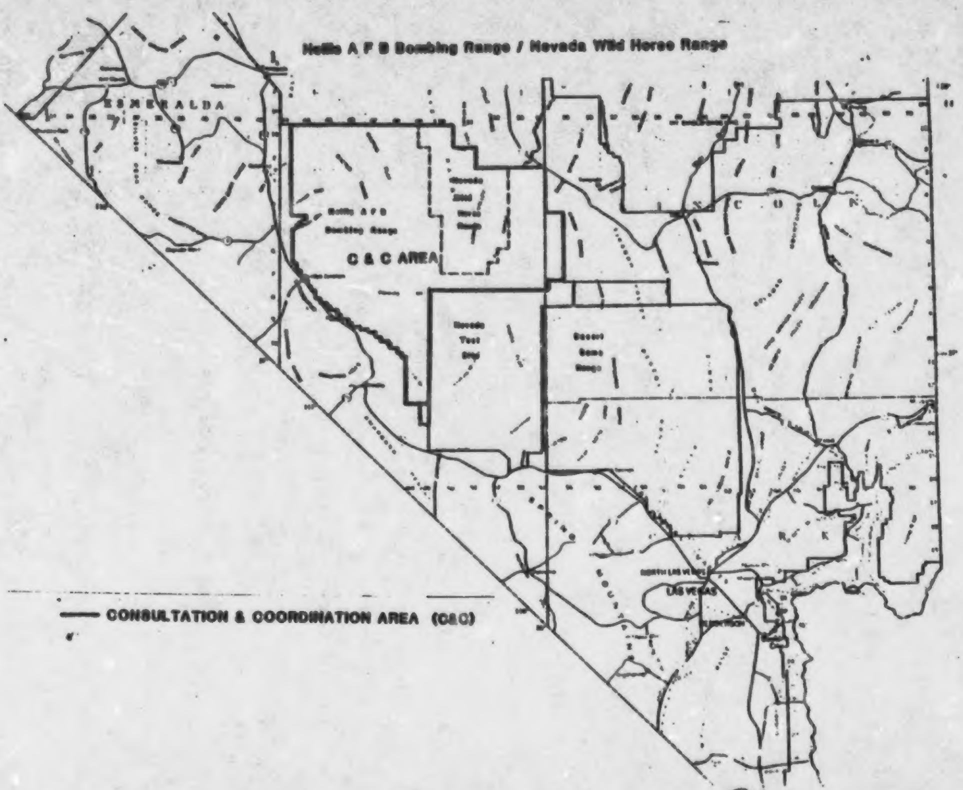
The Santini-Burton approach (outlined in the Sierra Club's proposal for the Groom Range lands) was successful in reducing Nevadans fears of large amounts of Federally-owned land in the state because environmentally-sensitive, privately-owned lands were being purchased in the Lake Tahoe basin with the proceeds from sales of Federally-owned lands in the Las Vegas area. This Subcommittee could recommend that an escrow fund be established with DOD funds to finance the purchase of environmentally sensitive lands in the state of Nevada to offset the loss of wildlife habitat and recreational opportunities on the 89,000 acres seized by the Air Force. This Subcommittee responded to the challenge posed by Nevada's former Congressman James Santini by enacting this innovative concept into law. The Subcommittee could apply the same concept today to the Air Force's actions to balance national defense needs with the desires of all Nevadans to be proud of their state and the values it offers and to be proud of the Federal Government in respecting those values. I played an active part in promoting the "Santini-Burton" bill because I believed that a better solution existed for private/public land management conflicts, and I believe this same concept may be applied to some private/public land management problems in southern Nevada - the subject of this hearing.

Unfortunately, this proposal may stand little chance of being thoroughly examined because little time remains in this session of Congress. Some may say that insufficient time exists for other committees of the Congress to be consulted, e.g. the appropriations committees. Some may say that national security interests dictate an over-riding of traditional procedures for land withdrawals by the military. Some may say that the proposal for Nevadans to receive compensation would represent a bad precedent and be expensive and therefore should not be considered. I am here to say that I believe that this Subcommittee and this Congress has the time to examine the alternatives as they should have been examined through the Environmental Impact Statement process.

For years the Department of Defense was able to live with the present boundaries of the Nellis Bombing and Gunnery Range so why must action be taken this year on H.R. 4932? If additional lands are required for national security purposes, then permit the status quo to be maintained until some mitigation measures are achieved for the Groom Range lands. One of the fighters that streaks over Nevada's lands at supersonic speeds may cost approximately 20 million dollars. Simple arithmetic shows that the 89,000 acres seized by the Air Force from the public domain lands at $220 an acre equals the cost of just one fighter plane. A 20 million dollar escrow fund would be adequate for providing increased wildlife and recreational opportunities in the state through the purchase of select privately-owned, environmentally sensitive lands. Is this such a big price to be paid by the citizens of this country to the citizens of Nevada for the use of their state as an area for largely-unpopular programs and acitivities? I think not. Isn't there a better way to deal with our land-ownership conflicts? I think so.

In closing, Mr. Pat Sheahan is a miner who lived next to the Air Force facilities for many years. He was a good miner. As reported on the CBS evening news several weeks ago, he had been exposed to radioactive fall-out, strafing attacks by military planes, and his brand new mill facility was bombed or rocketed by the Air Force. He could live with that because the nation's defense was involved. Indeed, he kept it to himself for all those years until that day when the Air Force surrounded his property. That for him was the "last straw." Many Nevadans are saying the same thing today.

Nellis A F B Bombing Range / Nevada Wild Horse Range


ESMERALDA
Nellis A F B Bombing Range
Nevada Wild Horse Range
C & C AREA
Nevada Test Site
Desert Game Range
NORTH LAS VEGAS
LAS VEGAS
CONSULTATION & COORDINATION AREA (C&C)

SIERRA CLUB

Las Vegas Group of TOIYABE CHAPTER
P.O. Box 19777, Las Vegas, Nevada 89119

RESOLUTION ON LAND COMPENSATION FOR GROOM RANGE SEIZURE

WHEREAS, the U.S. Air Force without Congressional authorization expanded the northeast boundaries of the Nevada Test Site adjacent to Area 51, severely restricting public access to approximately 89,000 acres of formerly multiple use public land which provided diverse recreational opportunities, and;

WHEREAS, the Santini-Burton bill established a precedent whereby an escrow account can be established to purchase private lands from owners willing to sell to the Federal government for cash, and;

WHEREAS, negotiations have occurred between the Las Vegas District office of the BLM and the Summa Corporation on the exchange of lands located along the western boundary of the Husite lands west of Las Vegas and adjacent to the Red Rocks Recreation Lands, and;

WHEREAS, inappropriate development of the Husite lands threatens to disturb the atmosphere of the Red Rocks Recreation Lands, whose Master Plan in 1976 stressed the importance of a buffer zone allowing transition into Red Rocks, respecting the major entrance areas perceived by the visitor, and protecting the valuable natural and cultural resources related to Red Rocks,

BE IT THEREFORE RESOLVED, that the Toiyabe Chapter of the Sierra Club strongly objects to the seizure of the land adjacent to the Test Site without prior Congressional authorization. Except to the extent absolutely required by national security, these lands should be returned immediately to their former multiple use management.

BE IT FURTHER RESOLVED, that if Congress determines that withdrawal of this land for exclusive military purposes is necessary, that it establish an escrow account with Department of Defense monies to acquire environmentally sensitive recreation lands in the state of Nevada to compensate the loss of public access to the 89,000 acres of public land;

BE IT FURTHER RESOLVED, that the Toiyabe Chapter urges that the lands to be acquired include approximately 9,000 acres of private land on the border of the Red Rocks Recreation Area.

SIERRA CLUB

Toiyabe Chapter – Nevada and Eastern California

PROPOSED MITIGATION MEASURE FOR THE AIR FORCE'S 89,000 ACRE LAND WITHDRAWAL IN THE GROOM RANGE AREA OF NEVADA

ABSTRACT

The Air Force bypassed normal procedures in prohibiting public entry to approximately 89,000 acres of public land outside of Area 51. At a time when increased military uses of the public lands are being sought, many Nevadans are becoming sensitive to the impacts that these land withdrawals may have on their health, economic livelihood, and recreational interests. The Toiyabe Chapter of the Sierra Club is concerned with the impacts of Department of Defense actions on people's lives and on the land, and it proposes compensation be made to the citizens of Nevada for the increasing share that Nevadans are contributing to this nation's security. The Sierra Club proposes an alternative for the Congress to consider in the resolution of the controversy surrounding the Air Force's actions. The Club proposes that an escrow account be established with Department of Defense monies to acquire certain private lands in the state of Nevada to offset the loss of public access to the 89,000 acres of public land. A number of options may be considered, but the Sierra Club believes that the acquisition of approximately 9,000 acres of private land on the border of the Red Rock Recreation Area outside of Las Vegas would partially compensate present and future Nevadans who seek access to public lands in southern Nevada for recreation purposes. Such a proposal should not be construed as being the only proposal but rather should be weighed by the Congress against other alternatives - alternatives that would normally be investigated through an adherence to the environmental and land laws of the United States.

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INTRODUCTION

The Sierra Club in Nevada has consistently opposed the wholesale disposal of public lands. When BLM lands in the metropolitan area of Las Vegas were being sold in the 1970's and the profits were being returned, in effect, to the U.S. Treasury, the Sierra Club proposed that the profits from the sale of those lands be used to buy environmentally sensitive, private lands within the state of Nevada. The proposal later became law and is now referred to as the "Santini-Burton" bill in memory of the Nevada and California Congressmen who championed the legislation.

Embodied in the Santini-Burton legislation is the concept that a "land exchange" occurs in two distinct steps. The first step is to sell excess Federal land and deposit the funds in an escrow account. The second step is to approach private land owners who are willing to sell their desirable lands to the Federal government for cash. The cash comes from the escrow account. The Santini-Burton approach allows a consolidation of private and public lands for better land management practices without the often frustrating, time-consuming process of trading lands on an equal, fair-market price basis.

The Toiyabe Chapter of the Sierra Club proposes that the Air Force compensate the residents of Nevada for the denial of access to public lands near Area 51 by establishing an escrow account equal to the value of the lands removed from the public domain in southern Nevada and that the escrow account be used to acquire from private landowners' lands that would offer southern Nevada residents increased opportunities for public recreation on public lands. In this manner, the Air Force is able to acquire lands it deems necessary for "national security" purposes, and the state of Nevada is compensated for an even greater burden in providing for the nation's defense by acquiring lands near the Red Rock recreation area and near existing Federal fish and wildlife refuges.

The Sierra Club offers one example of where private lands should be acquired near Las Vegas, the home of Nellis Air Force Base, for the sake of residents and visiting military personnel alike. Other compensation measures could be suggested, but because of the Club's long-standing interest in the Red Rock Recreation Area and the Santini-Burton bill, only one specific example is offered by the Club.

BACKGROUND

The United States Air Force has shared with the Department of Energy a portion of the Nevada Test Site an area known as "Area 51". The existence of this area has not been generally acknowledged by the Air Force, and activities in this area have always been considered to be a matter of national security. The activities have been classified, but it has been reported in the press that activities involving the testing of the U-2 spy plane, the XR-71 spy plane, the Stealth bomber, and components of President Reagan's Star Wars defense system have occurred in the area.

In 1983 four members of the international environmental organization Greenpeace occupied a portion of the Nevada test site to protest the testing of nuclear weapons. They were not located for several days until they turned themselves in to authorities in the Yucca Flats area of the Test Site.

In 1984 the Air Force expanded the northeast boundaries of the Nevada Test Site adjacent to Area 51. Approximately 89,000 acres of public land are involved. The lands were administered by the Bureau of Land Management prior to the actions of the Air Force. The administration and responsibilities for those lands are now a source of public controversy since Air Force security personnel and stations have been established at the entrance to the Groom Range area. Public access to the lands is under severe restrictions, and for all practical purposes the lands can be deemed to be off-limits to hunting, mining, camping, hiking, off-roading, etc..

The United States Congress is required to approve the withdrawal of public lands from public use when those lands include more than 5,000 acres. The Engle Act and the Federal Land Policy & Management Act require public hearings and the National Environmental Policy Act requires a consideration of alternatives to a proposed action. The Air Force did not comply with any of these laws when they moved their security zones although they did say that a larger Environmental Impact Statement for the operation of the test site included some discussion of the expansion. Nevertheless, the Air Force acknowledged to Ed Vogel, a Las Vegas Review-Journal reporter, that there was no legal authority to deny people access to the 89,000 acres other than "national security".

Public opposition has been widespread and growing. The Nevada Department of Wildlife first expressed its concerns when efforts to transplant bighorn sheep into the Groom Range were prevented by security guards at the gate. The Nevada Wildlife Federation registered its concerns both publicly and privately with private meetings taking place between local Air Force officials and the state President, Andy Leitch. The Nevada Wildlife Federation suggested that the Air Force compensate Nevada residents for the taking of the land by providing increased opportunities for hunting and wildlife management on military lands in southern Nevada. A further suggestion was offered for the military to provide increased funding for land acquisition and wildlife management programs.

A longtime resident of the Groom Range area, Pat Sheahan, appeared on the CBS Evening News during the week of June 18, 1984 to state that he was being denied access to his mining claim and private lands on the Groom Range. He stated that while he had been bombed, strafed, and dusted with radioactive fallout in the past, the actions of the Air Force to deny him free access to his lands were the "last straw".

LEGAL BASIS

Normally, when an application for withdrawal is made for public lands, the Federal Land Policy and Management Act of 1976 would require the Secretary of the Department of Interior, in cooperation with the Department of Defense, to furnish the committees of Congress with the following:

(1) a clear explanation of the proposed land use that led to the withdrawal;

(2) an inventory and evaluation of the current natural resource uses and values of the site and adjacent public and non-public land and a statement of how it appears they will be affected by the proposed use, including particular aspects of use that might cause degradation of the environment as well as the economic impact of the change in use on individuals, local communities and the nation,

(3) an identification of the present users of the land involved and ways they will be affected by the proposed use;

(4) an analysis of the manner in which existing and potential resource uses are incompatible with, or in conflict with the proposed use, together with a statement of the provisions to be made for continuation or termination of existing uses, including an economic analysis of such continuation or termination;

(5) an analysis of the manner in which such lands will be used in relation to the specific requirements for the proposed use;

(6) a statement of the consultation that has occurred or will occur with other federal departments and agencies, with regional, state, and local government bodies, and with other appropriate individuals and groups;

(7) a statement indicating the effect of the proposed uses, if any, on state and local government interests and the regional economy;

(8) a statement of the expected length of time needed for the withdrawal;

(9) the time and place of hearings and of other public involvement concerning such withdrawal;

(10) the place where records on the withdrawal can be examined by interested parties; and

(11) a report, prepared by a qualified mining engineer, engineering geologist, or geologist, that shall include, but not be limited to information on general geology, known mineral deposits, past and

present mineral production, mining claims, mineral leases, evaluation of future mineral potential, and present and potential market demands.

[Excerpted from: Federal Land Use Policy and National Defense Requirements: Evolving Relationships]

The Department of Defense failed to meet many, if not all, of the above requirements when they took control of the Groom Range. H.R. 4932 was introduced on February 23, 1984 in the House of Representatives and S.2657 was introduced on May 10 (legislative day, April 30), 1984 to cover the withdrawal of the Groom Range as well as other lands.

The Toiyabe Chapter has been denied an opportunity to comment on the Air Force's actions as required by the Federal Land Management and Policy Act and seeks to offer constructive suggestions and comments through the hearing process afforded the two bills introduced in the U.S. Congress.

THE BLM RED ROCKS NATIONAL RECREATION AREA VS. SUMMA CORPORATION LANDS

Howard Hughes acquired lands to the west of Las Vegas, and these lands are now known as "Husite". With the death of Howard Hughes, Summa Corporation now administers those private lands. Figure 1 shows the undeveloped lands that lie to the west of the developed area of Las Vegas. Much of the land lies outside an area that has been identified by Clark County for development using County funds to finance the construction of roads, sewers, and other public services. The County's master plan for growth permits these lands to be developed by the developer provided that certain services are paid for by the developer and applicable zoning ordinances are met.

The Summa Corporation has begun to plan for the development of those lands with the hiring of former Las Vegas city manager Russell Dorn. While the full extent of Summa's development plans remains private, two sections of land of the eastern perimeter of Husite have been slated for development. Negotiations have occurred between the Las Vegas District office of the BLM and the Summa Corporation on the exchange of lands for the lands on the western boundary of Husite. Thus, there is an indication that even though Summa Corporation is planning for the development of Husite, they would be agreeable to the sale or exchange of some lands on the scenic, western perimeter of their site.

The 1976 Master Plan: Red Rock Canyon provides the following description of the lands on the western boundary of Husite, and their importance for southern Nevadans:

> Red Rock Canyon Recreation Lands presently consist of approximately 62,000 acres in Clark County, Nevada, located fifteen miles west of Las Vegas. The majority of the land is Federally controlled, and there are state and private lands within and adjacent to the recreation area.
>
> Red Rock Canyon . . . (has) elements of historic and archeologic importance, unique ecological environments, and recreation opportunities in a magnificent valley adjacent to the 3,000 foot high Red Rock escarpment. Its proximity to the population center of Las Vegas further amplifies its recreation value.
>
> The major portion of Red Rock Canyon Recreation Lands has historically been in public ownership. Presently, most of the Red Rock area as well as the land west to the Nevada-California border is managed by the Bureau of Land Management, Department of the Interior. Recognizing the area's recreation potential, the Nevada State Park System has shown interest in Red Rock Canyon as a state facility. Towards this end, the state in cooperation with the Bureau of Land Management developed a Master Plan for the Recreation Lands in 1968 and signed a cooperative/development agreement in 1969. This agreement divides management/development of the resources into t

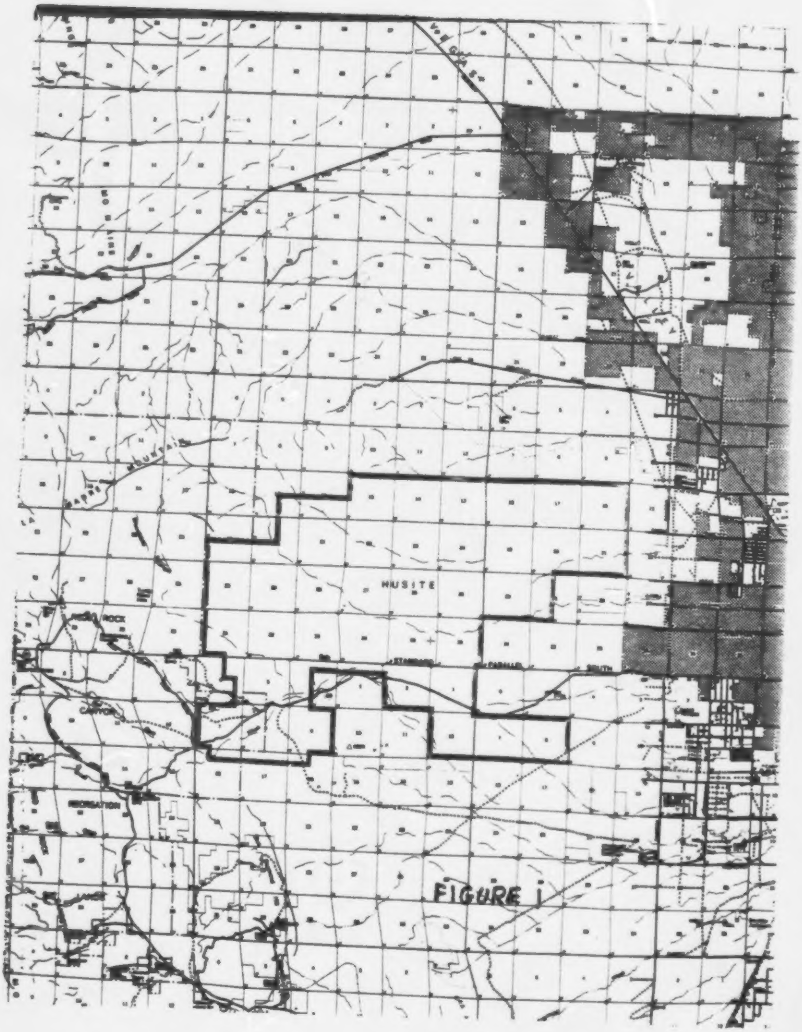


FIGURE 1

recreation management units in which each agency has specific responsibilities.

Implementation of the 1968 Master Plan was halted in 1972 until an environmental impact statement could be prepared. This has been accomplished and has been used as a guideline for future planning.

The 1976 Master Plan was the result of public hearings. Goals were established for the protection of the area, and descriptions of some of the important values offered by the area appear in the plan:

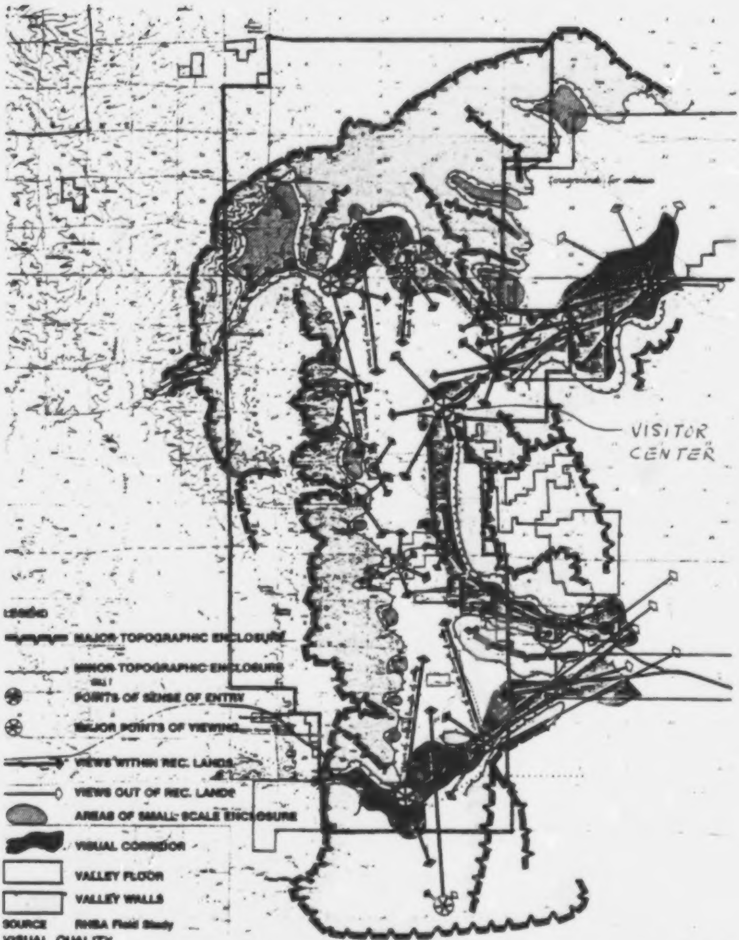
Visual Quality - Red Rock Boundaries

A visual survey and analysis was done at Red Rock to determine if boundary modifications were needed to protect the resource from urban intrusion. As the accompanying visual survey maps illustrate, Red Rock is experienced at several visual levels. [Figure 2]

Approaching via Charleston Boulevard, as do an estimated 75% of the visitors, there is an increasing awareness of the escarpment. It is visible from Las Vegas as a shape against the horizon. As one approaches, the shape becomes more clear and the red and yellow hues of the sandstone become apparent. As the road approaches Calico Basin, the hills to the left and right direct one's view toward the valley, and then, with a dramatic turn, the full grandeur of the escarpment is revealed. Continuing, the visitor enters the valley with enclosures to the east (Blue Diamond Hills), west (escarpment and Spring Mountains), and to the north (Calico Hills and La Madre Mountains). A feeling of vastness of the valley floor is accompanied by a sense of being surrounded by and drawn to the massive shapes of the colorful stone enclosures. Turning south, the view is long with a natural terminus at the rise in the landscape known as Cottonwood Pass. The viewer experiences a variety of levels of enclosure from low hills to high rock outcroppings, the escarpment and Mounts Potosi and Charleston in the distance. Planning for Red Rock has been done with the aim of allowing the visitor to perceive the full impact of the Recreation Land's entrance and the dominant space within.

Boundary:

The boundary delineates the area which is directly covered by the recommendations of this Plan. **The boundary must allow for transition into Red Rock, must respect the major entrance sequences perceived by the visitor, and must protect the valuable natural and cultural resources related to Red Rock.** Specifically, the Plan recommends extending the boundary south to Cottonwood Pass, including the east flank of Potosi Mountain. To the east, it is proposed that lands containing prime archeological district sites, especially in the Brownstone Canyon archeological district have controlled development to protect the sites. Along Charleston Boulevard, the Calico Basin


VISITOR CENTER
LEGEND
MAJOR TOPOGRAPHIC ENCLOSURE
MINOR TOPOGRAPHIC ENCLOSURE
POINTS OF SENSE OF ENTRY
MAJOR POINTS OF VIEWING
VIEWS WITHIN REC. LANDS
VIEWS OUT OF REC. LANDS
AREAS OF SMALL-SCALE ENCLOSURE
VISUAL CORRIDOR
VALLEY FLOOR
VALLEY WALLS
SOURCE RHBA Field Study

VISUAL QUALITY
RED ROCK CANYON RECREATION LANDS FIGURE 2
NEVADA STATE PARK SYSTEM - BUREAU OF LAND MANAGEMENT
ROYSTON HANAMOTO BECK & ABEY

BEST COPY AVAILABLE

area just east of the Red Rock boundary should have controlled development to protect the visual entrance. To the west, the proposed boundary is extended one section to the west to protect the summit ecological communities and to ensure control of access to Red Rock Summit.

The map lines imply control and **not** a taking of property. Private use of lands which are now privately owned should continue. However, regulations are necessary to control development of areas within or adjacent to the Recreation Lands or the integrity of the land's natural experience will be compromised. The following are minimal controls necessary:

1. Open space zoning should be implemented for all key lands within or adjacent to Red Rock.

2. Agreement should be sought with Clark County as to specific site development and land use criteria such as:

    a. Road locations should be suited to the terrain for no or low visibility.

    b. Buildings should be sited with the terrain for minimal visual impact from public roads or key areas. Buildings should not be located on ridge tops or on the skyline.

    c. Only minimal regrading of the existing landscape should be permitted.

    d. Wiring should be placed underground.

    e. Regulations should be established controlling building materials and color.

    f. Design review of all proposals should be established.

    g. Use of mineralized lands should be based on close cooperation between the Federal, State and County governments.

    h. Commercial developments should be carefully reviewed to avoid apparent urban intrusian adjacent to or within the site. Mitigation measures will be required such as earth forms and plant materials to subdue glare, noise bulk and other items negatively affecting the nearby or distant Recreation Lands experience.

    i. An environmental assessment should be required for any project in zone of influence.

"The [Red Rock] Visitor Center is the one location within the Recreation

Lands that presents an overview of Red Rock, its location, history, physical appearance and natural processes. . . . The building must blend with its surroundings." [Master Plan]

The Red Rock visitor center is located within a few hundred of feet of the border of Husite. Obviously, development of the western portion of the Husite property would conflict with the mission of the visitor center in one of southern Nevada's finest recreation areas.

Future development of the Husite property would appear to be severely regulated from reading the Master Plan, but the plan is nothing more than a plan. Regulations and ordinances would be required to implement the plan. Judging from the list of potential restrictions contained in the plan, it would be difficult for a developer to effectively develop the property; thus, inadvertent condemnation of the property would be the effect of implementing the recommendations in the plan. This would be unacceptable and some sort of relief could be demanded by the developer of the properties at a later date. Either a weakening of the restrictions in the plan would be sought, or some sort of financial compensation would be sought which would be far more costly than resolving the matter now. While the Plan did not specifically mention the acquisition of the private property to protect the Red Rock area, such acquisition would clearly accomplish the goals of the plan. Given the recent attempts to exchange BLM lands for the Summa Corporation lands and the failure of that process, the outright purchase of those lands is an option that should be considered now before further degradation of the Red Rock area occurs.

PROPOSED COMPENSATION MEASURES FOR THE AIR FORCE'S SEIZURE OF PUBLIC LANDS

Several compensation measures may be offered to compensate the citizens of Nevada for the removal of 89,000 acres from the public domain in the vicinity of Area 51. The Toiyabe Chapter of the Sierra Club proposes one mitigation measure involving the purchase of 9,000 acres of private land in the eastern boundary of the Red Rock Recreation Area (Figure 3). The acreage was identified from the 1976 Master Plan for Red Rock Canyon as being important for the protection of archeological resources and vistas in the northern section of the Red Rock area. The plan did not expressly call for the purchase of the lands; however, only an outright purchase of the lands for management by the BLM will afford the protection that this area needs as the Las Vegas metropolitan area grows.

The Toiyabe Chapter suggests that an escrow account be established and funded with monies from the Department of Defense budget and that the BLM be authorized to proceed with the acquisition of properties in the Red Rock area. The exact mechanics of the purchase are left to more experienced people, but the experience gained in the passage and implementation of the Santini-Burton bill suggests that new methods can indeed be implemented to consolidate our private and public lands for better land management.

SUMMARY

National security issues concern Nevadans as much as anyone; however, many Nevadans feel that their contribution to the nation's security is becoming too great. Nevada and Las Vegas are among the leaders in population growth in this nation. Future Nevadans may feel an even greater impact to their lives from the actions that have been taken by the Air Force since the land withdrawal is likely to be permanent. The Sierra Club believes that national security interests can coexist with increased opportunities for a variety of recreational experiences in Nevada.

Sensitive testing of weapons systems has occurred in Area 51 for years; yet, it was not until recently that the Air Force felt obliged to expand the buffer zone around the sensitive area. In the process, a great deal of attention has been focused on the area because of the actions of the Air Force. The fact that sensitive programs such as the development of the U-2 and XR-71 were successfully conducted at Area 51 for many years leads to speculation on why the Air Force felt compelled to bypass normal Congressionally mandated procedures to expand the buffer zone. The question remains: will it happen again?

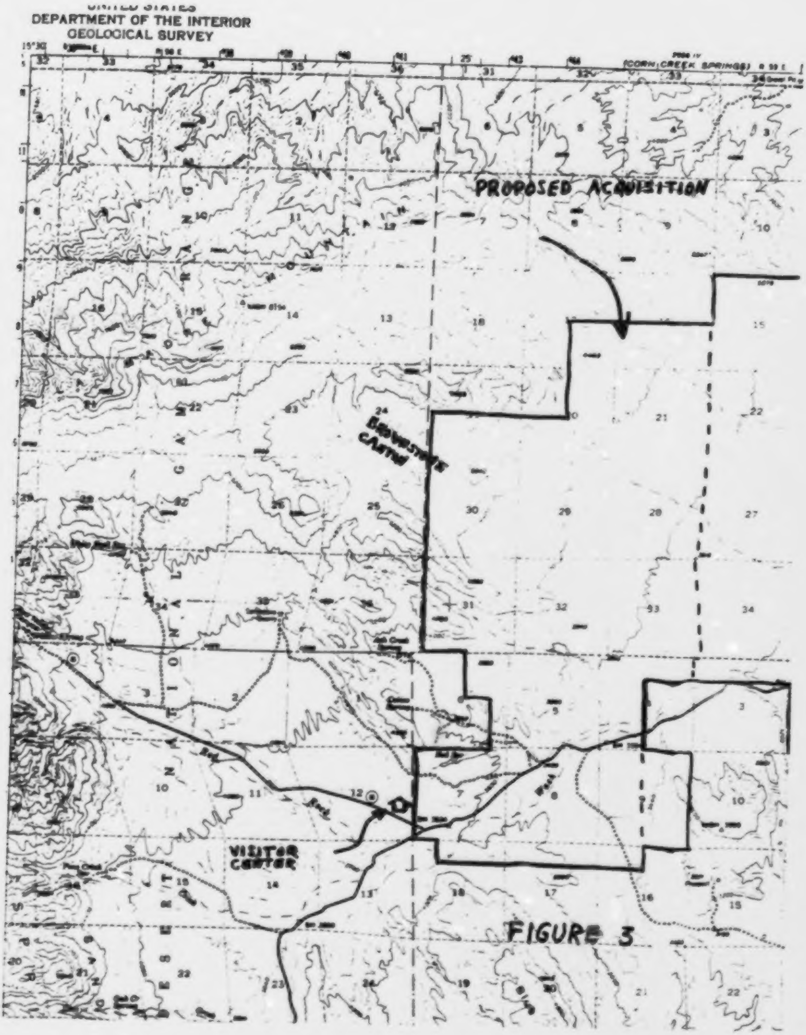

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
(CORN CREEK SPRINGS)
PROPOSED ACQUISITION
BROWNSTONE CANYON
VISITOR CENTER

FIGURE 3

REFERENCES

Royston Hanamoto Beck & Abey. 1976. Master Plan: Red Rock Canyon Recreation Lands. 39pp.

Young, J.M.. 1982. Federal Land Use Policy and National Defense Requirements: Evolving Relationships. Proceedings of Applied Geography Conferences, v. 5, pp. 137-144.

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COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
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WASHINGTON, D.C. 20515

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TIMOTHY W. GLIDDEN
REPUBLICAN COUNSEL

August 7, 1984

Honorable William Clark
Secretary of the Interior
Department of the Interior
Washington, D.C. 20240

Dear Mr. Secretary:

As you know, on August 6, 1984, the Subcommittee on Public Lands and National Parks held a hearing on H.R. 4932, a bill to withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye, and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes.

Testimony as to the views of your Department on the bill was presented at that hearing. In order to supplement the hearing record, and to provide for a better understanding of what is entailed in this Administration-requested legislation, it would be appreciated if you could furnish answers to the enclosed additional questions as soon as possible.

Sincerely,

John F. Seiberling
JOHN F. SEIBERLING
Chairman, Subcommittee
on Public Lands and
National Parks

1. Section 1(b) of H.R. 4932 sets forth the legal description of the lands and resources which the bill would withdraw. Please provide a separate legal description for each portion of the lands covered by the bill not heretofore withdrawn, including the Groom Range area.

2. The withdrawal of the lands covered by the bill would be "subject to valid existing rights". What valid existing rights are there now in the areas that have been withdrawn previously? What valid existing rights in the Groom Range area would be covered?

--What access would holders of valid existing rights have to the lands affected by this bill?

--What impact would this bill have on grazing leases?

3. The bill would withdraw the affected lands, including the Groom Range area, from the mining laws but not the mineral or geothermal leasing laws.

--What are the hard-rock values of the Groom Range area?

--Are there any known geological structures involving leaseable minerals or geothermal resources in the Groom Range area or the existing Nellis complex?

--Are there any lease applications for mineral or geothermal leases in the lands covered by this bill?

4. How does the Department of the Interior interpret the phrase "except to the extent rendered necessary by national defense" in section 1(a) as applied to management of the Desert Refuge? In your opinion, who would determine what that language meant? Would such a determination be subject to judicial review?

--Would it be desirable to amend the bill so as to spell out a procedure for varying the management of the Desert Wildlife Refuge if such a variance was necessary for national defense?

5. How does the Department of the Interior interpret the language of section 2(a) giving the Secretary of the Air Force "exclusive jurisdiction over the management of the lands for military purposes"?

6. Section 2(b) deals with the continuing responsibilities of the Secretary of the Interior with regard to management of the lands covered by the bill. First, as to the lands outside the Desert National Wildlife Refuge, it provides that multiple-use management is to continue, but that all uses are to be secondary

to the military use of the lands and shall be authorized only with the concurrence of the Secretary of the Air Force. With regard to the Desert Wildlife Refuge lands, it provides that management is to be governed by the National Wildlife Refuge System Administration Act of 1966, "except to the extent that other uses are required for purposes of national defense".

--Who would decide whether "other uses" of the refuge were "required for purposes of national defense"? Would such a decision be subject to judicial review?

7. Subsection 4(c) deals with possible relinquishment by the Air Force of some or all of the lands covered by the bill. Does the Department of the Interior interpret that subsection as applying in any way to the lands within the Desert National Wildlife Refuge? Does the language apply to the Nevada Wild Horse Range?

8. Subsection 4(d) says that if the Secretary of the Interior declines to accept lands covered by the bill which the Air Force no longer needs, but which are contaminated so much that it is not practicable or feasible to make them safe, the withdrawal created by the bill "shall continue indefinitely and the lands shall be retained and managed in accordance with the provisions of this Act". Does that mean that the lands would be managed by both the Air Force and the Department of the Interior, or would the Interior Department have the sole responsibility of managing the lands, even though their use by the Air Force had made them unfit for full multiple-use management?

9. How does the Department of the Interior interpret the language of subsection (c)(ii) of section 4 regarding a conclusion by the Secretaries of the Air Force and the Interior as to decontamination? Must the two Secretaries agree? What if they do not agree?

10. Several witnesses testified that H.R. 4932 would alter the present balance of authority and responsibility between the Department of the Interior and the Department of the Air Force with regard to the lands affected by the bill, and especially the Desert National Wildlife Refuge. How would you respond to that allegation? Is it correct?

Logged 8/16 JJ

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

AUG 14 1984

Honorable John F. Seiberling
Chairman, Subcommittee on Public Lands
and National Parks
Committee on Interior and Insular Affairs
House of Representatives
Washington, D.C. 20515

Dear Mr. Seiberling:

Thank you for your letter to Secretary Clark dated August 7. You request pertinent information in connection with the August 6 hearing on H.R. 4932, a bill to withdraw and reserve certain public lands within the Nellis Air Force Range.

The response requested in your letter is being developed. Every effort will be made to provide you a timely reply.

With kind regards,

Sincerely,

Dave

David S. Brown
Assistant to the Secretary and
Director, Office of Congressional
and Legislative Affairs

United States Department of the Interior
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

AUG 23 1984

Honorable John F. Seiberling
Chairman, Subcommittee on Public Lands
and National Parks
Committee on Interior and Insular Affairs
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Seiberling:

This is in response to your August 7, 1984, letter to Secretary Clark in which you requested additional information pertaining to H.R. 4932.

The answers to the 10 questions you posed are enclosed.

We trust that this information is helpful.

Sincerely,

Assistant Secretary - Land and
Minerals Management

Enclosure

Question 1. Section 1(b) of H.R. 4932 sets forth the legal description of the lands and resources which the bill would withdraw. Please provide a separate legal description for each portion of the lands covered by the bill not heretofore withdrawn, including the Groom Range area.

Answer: Only two tracts proposed for withdrawal in H.R. 4932 have not been previously withdrawn.

(1) The legal description of the 2,880-acre area for addition to Nellis Air Force Range is:

Mount Diablo Meridian, Nevada

T. 16 S., R. 58 E., Unsurveyed
Sec. 8, NE 1/4;
Secs. 9, 10 and 15;
Sec. 16, E 1/2/;
Sec. 22, W 1/2, SE 1/4.

(2) The legal description for the 89,600-acre Groom Range area is:

Mount Diablo Meridian, Nevada

T. 5S., R. 55 E., Secs. 1, 12, 13, 24, 25, 36.

T. 6 S., R. 55 E., Secs. 1, 12, 13, 24, 25, 36.

T. 7 S., R. 55 E., Secs. 1, 12, 13, 24, 25, and 36 exclusive of lands included in Public Land Order (PLO) 1662.

T. 5 S., R. 55 1/2 E., Secs. 6, 7-8 exclusive of lands included in Mineral Patent 9368, 16-21, 28-33.

T. 6 S., R. 55 1/2 E.

T. 7 S., R. 55 1/2 E., Secs. 4-9, 16-21, 28-30, 31-33 exclusive of lands included in PLO 1662, and exclusive of lands included in Mineral Patents 1660, 1661, 1034979, and 1055957 in Secs. 5, 8 and 17.

T. 5 S., R. 56 E., Sec. 19, 20 exclusive of lands included in Mineral Patent 3379, 27-35.

T. 6 S., R. 56 E., Secs. 2-11, 14-23, 26-35.

T. 7 S., R. 56 E., Secs. 2-11, 14-23, 26-35.

Question 2. The withdrawal of the lands covered by the bill would be "subject to valid existing rights". What valid existing rights are there now in the areas that have been withdrawn previously? What valid existing rights in the Groom Range area would be covered?

--What access would holders of valid existing rights have to the lands affected by this bill?

--What impact would this bill have on grazing leases?

Answer: The Air Force has purchased all of the private mineral and grazing interests in the lands previously withdrawn at Nellis Air Force Range, except for three patented mining claims. The Air Force has leased the access and development rights in these three remaining claims.

Within the Groom Range area, there are five oil and gas leases, all of which will expire on March 31, 1991, unless production is achieved before that date; 27 unpatented mining claims; and 6 patented mining claims. The owners of the rights associated with these claims would be able to implement those rights fully, if the Air Force does not acquire them or encumber them under separate authority.

Two grazing allotments are included in the Groom Range area. The Nequinta allotment comprises about 51,600 acres in the western two-thirds of the Groom Range area, while the eastern 38,500 acres of the Groom Range area include a portion of the Bald Mountain allotment.

The Air Force purchased almost all of the water rights in the Nequinta allotment in 1956. As a result, no grazing leases have been issued for that area. However, forage for livestock is available on the allotment and grazing leases could be issued for the area if an applicant could obtain sufficient quantities of water to support livestock.

One grazing permit for the Bald Mountain allotment has been issued to D-4 Enterprises (Steve Medlin). The Bald Mountain allotment has a capacity for 5,811 cattle Animal Unit Months (AUM's), but only 14 percent of that amount (803 AUM's) is included in the area proposed for withdrawal. Nonetheless, because of the presence of five water sources in the portion of the allotment proposed for withdrawal, the area comprises 80 percent of the area that Medlin uses during the summer months. Thus, if Medlin were denied access to the portion of the Bald Mountain allotment that is proposed for withdrawal there could be a significant negative effect on his grazing operation. The Air Force has assured the Bureau of Land Management (BLM) and Medlin that he would continue to have access to the portion of the Bald Mountain allotment that is proposed for withdrawal.

In addition, Medlin is presently grazing approximately 60 cows in the southern portion of the Nequinta allotment without authority from the BLM, although Medlin is authorized to graze these animals on the Bald Mountain allotment. The unauthorized use situation occurred because Medlin acquired the water rights to a spring in the Nequinta allotment and is basing his "right" to use the Nequinta allotment on his right to use the lone spring. There is no fence between the 2 allotments. Sufficient AUM's exist on the Bald Mountain Allotment to satisfy Medlin's livestock demands.

Question 3. The bill would withdraw the affected lands, including the Groom Range area, from the mining laws but not the mineral or geothermal leasing laws.

--What are the hard-rock values of the Groom Range area?

--Are there any known geological structures involving leaseable minerals or geothermal resources in the Groom Range area or the existing Nellis complex?

--Are there any lease applications for mineral or geothermal leases in the lands covered by this bill?

Answer: Minerals found in the vicinity of Nellis Air Force Range, including the Groom Range area, are gold, silver, copper, lead, zinc, mercury, tungsten, turquoise, sand, gravel, and limestone. Portions of Nellis Air Force Range are prospectively valuable for sodium, potassium, alunite, and potash. Gypsum and limestone are probably the most valuable minerals produced in the vicinity of, but not on, the Nellis Air Force Range. Significant amounts of lead, silver, copper, and zinc have been recovered from the Groom mine about 3 miles east of the present Nellis Air Force Range.

Most of the metalliferous mineral deposits in the vicinity of Nellis Air Force Range consist of gold and silver deposits, occurring as fissure fillings and replacements in shear zones. Some deposits also contain lead, zinc, and copper. Several occurrences of tungsten and molybdenite have been found in the Oak Spring Mining District, located near the north central border of the Department of Energy's Nevada Test Site.

Several areas have a high geologic potential for mineral resources:

The north end of the North Range, east of Goldfield, may contain significant gold-silver deposits.

The Oak Spring Mining District has potential for new discoveries of tungsten-molybdenum and lead-silver deposits.

Inasmuch as the uranium that has been identified a few miles west of the Nellis Air Force Range and elsewhere in the Great Basin is typically found in tertiary volcanic rocks and tuffaceous sedimentary rocks of silicic composition, particularly in the vicinity of volcanic centers, it appears that a fairly large area of ground having a potential for uranium resources could exist in the western part of the Range.

Some areas, mainly within mountain ranges, are covered by tertiary volcanic rocks less than 1,000 feet thick, and areas up to several miles wide, on the periphery of the ranges are covered by alluvial material less than 1,000 feet thick. The bedrock beneath this relatively thin cover, in places such as those within the Oak Spring Mining District, may have a potential for mineral resources.

The eastern half of the State of Nevada is prospectively valuable for oil and gas. All of the areas proposed for withdrawal at the Nellis Air Force Range fall within this zone.

A number of holes have been drilled around Las Vegas in search of oil and gas. Several shows of oil or gas have been reported, but none have been producers. Six of the holes were drilled 10 to 20 miles east of the Las Vegas Mountain Range, which extends north along the southeastern margin of the Nellis Air Force Range. One of these holes reported a show of oil and gas.

Shaly carbonaceous beds near the base of the Bird Spring Formation of late Paleozoic age represent a potential source of oil. The Bird Spring Formation underlies most of the Las Vegas Mountain Range, and possible traps for oil and gas are present.

Two oil fields have been developed in Railroad Valley, in northern Nye County, about 50 miles northeast of the Nellis Air Force Range. Some geologists believe that part or all of this oil came from shaly rocks correlative in age with those underlying the Las Vegas Mountain Range, the Bird Spring Formation.

The area does not contain any geologic structures which would suggest that it is prospectively valuable for geothermal development, nor have any applications for geothermal leases been filed for the lands proposed for withdrawal.

Question 4. How does the Department of the Interior interpret the phrase "except to the extent rendered necessary by national defense" in section 1(a) as applied to management of the Desert Refuge (sic)? In your opinion, who would determine what the language meant? Would such a determination be subject to judicial review?

--Would it be desirable to amend the bill so as to spell out a procedure for varying the management of the Desert Wildlife Refuge (sic) if such a variance was necessary for national defense?

Answer: The language in H.R. 4932 is similar to that found in earlier military withdrawals affecting the Desert National Wildlife Range (NWR). The U.S. Fish and Wildlife Service (FWS) and the Air Force have had a good working relationship under the terms of the Memorandum of Understanding (MOU) over the years. There is no indication that the phrase in question would alter that relationship. Of course, should the Secretary of the Air Force determine that a national defense need exists, the Secretary of the Interior would undoubtedly cooperate with the Air Force regarding the country's defense. If there were an impasse between the Secretary of the Air Force and the Secretary of the Interior regarding the use of the wildlife range for national defense needs, the final decision would be made by the President. We believe that such a decision would be subject to judicial review under 5 U.S.C. 704. That section provides: "Agency action made reviewable by statute and final agency action for which there is no other adequate remedy in a court are subject to judicial review."

Since H.R. 4932 requires the term of the MOU to coincide with the term of the withdrawal, the FWS believes that the MOU should be revised to reflect procedures for joint use of the Desert NWR in the event the Secretary of the Air Force determines a variance is necessary for national defense. Section 2(c) of H.R. 4932 provides for amendment of the MOU upon mutual consent of the Secretaries. We do not believe that it is necessary to set out in the bill the specifics of the MOU.

Question 5. How does the Department of the Interior interpret the language of section 2(a) giving the Secretary of the Air Force "exclusive jurisdiction over the management of the lands for military purposes"?

Answer: The Department of the Interior interprets the phrase in question as meaning that the Air Force alone would have control over military operations on the Nellis Air Force Range. The Air Force, as manager of the military operations, would be responsible for scheduling and controlling all military uses of Nellis Air Force Range, including security.

As provided in section 2(b) of H.R. 4932, the Secretary of the Interior would be responsible for management of all natural resources of the lands proposed for withdrawal.

Question 6. Section 2(b) deals with the continuing responsibilities of the Secretary of the Interior with regard to management of the lands covered by the bill. First, as to the lands outside the Desert National Wildlife Refuge, it provides that multiple-use management is to continue, but that all uses are to be secondary to the military use of the lands and shall be authorized only with the concurrence of the Secretary of the Air Force. With regard to the Desert Wildlife Refuge (sic) lands, it provides that management is to be governed by the National Wildlife Refuge System Administration Act of 1966, "except to the extent that other uses are required for purposes of national defense".

--Who would decide whether "other uses" of the refuge were "required for purposes of national defense"? Would such a decision be subject to judicial review?

Answer: Our response to this question, as it relates to the Desert NWR, is essentially the same as our response to question number 4. We believe the Secretary of the Air Force would make the initial determination as to when other uses of the Desert NWR are required for national defense purposes, but lack of concurrence by the Secretary of the Interior would result in an elevation of the issue to the President. We also believe that such a decision would be subject to judicial review.

Question 7. Subsection 4(c) deals with possible relinquishment by the Air Force of some or all of the lands covered by the bill. Does the Department of the Interior interpret that subsection as applying in any way to the lands within the Desert National Wildlife Refuge (sic)? Does the language apply to the Nevada Wild Horse Range?

Answer: The purpose of section 4(c) is to preclude a reoccurrence of situations which have occurred in the past where contaminated public lands that had been used or withdrawn and reserved for military uses were returned to the jurisdiction of the Secretary of the Interior. In some cases, the involved military department had unsuccessfully attempted to clear the lands, while in other cases no clearance was attempted prior to military relinquishment of the lands because there was no record that the returned lands had ever been used in a manner that could result in contamination.

Because of the hazardous nature of contaminated lands, it is generally not advisable to open such lands to the operation of the public land laws, especially the mining laws and other laws whose operation could allow surface disturbance. Yet, in the absence of a withdrawal, the Secretary of the Interior is precluded from prohibiting use of public lands under the mining laws. Further, even if the Secretary did have such authority, the Department of the Interior has neither the personnel, equipment or experience that is required to prevent public entry onto an area as large as the Nellis Air Force Range. Thus, it was concluded that, in the case of contaminated public lands that are no longer needed by the Air Force and cannot be certified as safe, the Secretary of the Air Force should retain "exclusive jurisdiction over the lands for military purposes." In this situation, the military purpose over which the Air Force would have jurisdiction would be Range security.

Because the Desert NWR is also generally open to public use, it was concluded that the Air Force should be responsible for protecting the public from contamination on the Desert NWR. Thus, section 4(c) is intended to apply to all of the lands at the Nellis Air Force Range that are managed by the Secretary of the Interior, including the lands in the Desert NWR, and the Nevada Wild Horse Range.

It should be emphasized, however, that the provisions of section 4(c)(i) and section 4(c)(ii) apply only to contaminated portions of the Nellis Air Force Range. If the Secretary of the Air Force were to propose the relinquishment of either uncontaminated portions of Nellis Air Force Range, or contaminated lands that could be, and subsequently are, cleared sufficiently to make them suitable for public use, the Secretary of the Interior could certainly accept jurisdiction over such lands. This procedure would be applicable to all portions of the Nellis Air Force Range, including the portions of the Desert NWR that are used jointly by the Air Force and the FWS.

Question 8. Subsection 4(d) says that if the Secretary of the Interior declines to accept lands covered by the bill which the Air Force no longer needs, but which are contaminated so much that it is not practicable or feasible to make them safe, the withdrawal created by the bill "shall continue indefinitely and the lands be retained and managed in accordance with the provisions of this Act". Does that mean that the lands would be managed by both the Air Force and the Department of the Interior, or would the Interior Department have the sole responsibility of managing the lands, even though their use by the Air Force had made them unfit for full multiple-use management?

Answer: The management provisions of H.R. 4932 would apply to any lands that the Secretary of the Interior declines to accept because of their contaminated state. This would mean that the Secretary of the Interior would be responsible for management of the natural resources of those lands.

Section 4(d) would be applicable only upon the filing, by the Secretary of the Air Force, of a notice of intention to relinquish pursuant to section 4(b)(ii) of the bill. Under section 4(b)(ii), such a notice would be filed if the Secretary of the Air Force concludes that, there will be no need for all or any of the lands withdrawn by the bill, beyond the termination date of the withdrawal, or if the Air Force determines, during the period of the withdrawal, to relinquish any of the lands withdrawn by the bill. Presumably, there would be no military requirement for lands proposed for relinquishment. However, it is intended that the Air Force would continue to retain "exclusive jurisdiction over the lands for military purposes" until such time as the lands are made safe for public use and returned to the jurisdiction of the Secretary of the Interior. In this instance, the primary "military purpose" over which the Air Force would have exclusive jurisdiction would be Range security, i.e., control of the contaminated areas not accepted back by the Secretary of the Interior, to ensure the safety of those people who might inadvertently or intentionally attempt to enter contaminated areas.

Question 9. How does the Department of the Interior interpret the language of subsection (c)(ii) of section 4 regarding a conclusion by the Secretaries of the Air Force and the Interior as to decontamination? Must the two Secretaries agree? What if they do not agree?

Answer: Although "agreement" of the two Secretaries is not required by section 4(c)(ii), it is considered likely that, upon review of all pertinent information, the Secretary of the Interior and the Secretary of the Air Force would be able to agree on an appropriate course of action regarding decontamination. In the unlikely event that the Secretaries cannot agree, the matter would be decided by the President.

Question 10. Several witnesses testified that H.R. 4932 would alter the present balance of authority and responsibility between the Department of the Interior and the Department of the Air Force with regard to the lands affected by the bill, and especially the Desert National Wildlife Refuge (sic). How would you respond to that allegation? Is it correct?

Answer: The relationship between the FWS and the Air Force is clearly delineated in the existing MOU and provides mutual benefits to both agencies. Since the present MOU or a similar one that is acceptable to both parties will continue for management of the Desert NWR during the period of the withdrawal, the day-to-day management of the wildlife range should not change.

NINETY-EIGHTH CONGRESS

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COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
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TIMOTHY W. GLIDDEN
REPUBLICAN COUNSEL

August 7, 1984

Honorable Verne Orr
Secretary of the Air Force
The Pentagon
Washington, D.C. 20330

Dear Mr. Secretary:

As you know, on August 6, 1984, the Subcommittee on Public Lands and National Parks held a hearing on H.R. 4932, a bill to withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye, and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes.

Testimony as to the views of your Department on the bill was presented at that hearing. In order to supplement the hearing record, and to provide for a better understanding of what is entailed in this Administration-requested legislation, it would be appreciated if you could furnish answers to the enclosed additional questions as soon as possible.

Sincerely,

John F. Seiberling

JOHN F. SEIBERLING
Chairman, Subcommittee
on Public Lands and
National Parks

1. Section 4(a) of the bill provides that the withdrawal of the lands covered by the bill will continue for at least 25 years. Why was that period selected? What has been the duration of past withdrawals of Nellis lands?

2. Section 2(a) of the bill provides that "the Secretary of the Air Force shall have exclusive jurisdiction over the management of the lands for military purposes and may authorize use of the lands by the other military departments and agencies of the Department of Defense, and the Department of Energy, as appropriate".

--How do you interpret the phrase "exclusive jurisdiction for military purposes"? Are the words "for military purposes" words of exclusion -- that is, do they limit the extent to which your jurisdiction is to be exclusive?

--Is the phrase "military purposes" intended to have the same meaning as the purposes specified in section 1(a), namely "armament and high hazard testing...training...for aerial gunnery, electronic warfare, tactical maneuvering and air support, and for other defense related uses consistent therewith", or is it intended to have a broader meaning?

--Does section 2(a) mean that all the federal jurisdiction over these lands is to be lodged in the Secretary of the Air Force? Is the point of section 2(a) to protect the Air Force from demands or claims by other military departments? Or is it also to give the Air Force protection against claims or requests by any and all other parts of the federal government?

--Would section 2(a) have any effect on the respective roles and powers of the federal and State governments within the areas covered by the bill? What law-enforcement or other jurisdiction does the State of Nevada have there now? Would that be changed by this bill?

3. Subsection 4(c) deals with the possibility that the Air Force someday might decide it no longer needed some or all of the lands covered by H.R. 4932. In general, it provides that the Air Force can decide to relinquish such lands, but before doing so the Air Force is to determine whether the lands proposed for relinquishment have to be and can be decontaminated by removing explosives or toxic or other hazardous material. Subsection 4(c)(i) says that if the Air Force finds that there is need for decontamination and that decontamination is practicable and economically feasible and that if decontaminated the lands could be opened to operation of the mining laws, then the Air Force "shall decontaminate the lands, unless Congress declines to appropriate funds for the project".

--The language "unless Congress declines to appropriate funds for the project" is somewhat unusual. Since presumably the Air Force cannot carry out any project if money is not appropriated, what is the point of including this language? Is the

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idea to require that there be a specific line-item for this purpose? Would this language prevent reprogramming of available funds?

--Subsection 4(c)(i) appears to deal only with lands that, if decontaminated, "could be opened to the operation of the public lands laws, including the mining laws". Does that mean that not all of the Nellis complex is covered by this language? Specifically, does the language apply to the Desert National Wildlife Refuge?

4. Subsection (c)(ii) of section 4 addresses the possibility that decontamination might not be practicable or economically feasible on lands that the Air Force no longer needs. It says that "If the Secretaries of the Air Force and the Interior conclude either that decontamination...is not practicable or economically feasible, or that the lands cannot be decontaminated sufficiently" for reopening to the public lands laws, "or if Congress declines to appropriate funds for the decontamination", the Secretary of the Interior "shall not be required to accept the lands proposed for relinquishment".

--Must both Secretaries agree about the practicability or feasibility of decontamination for this subsection to be operative? If they should disagree, whose opinion would be controlling?

--What standards would govern the determinations of the two Secretaries concerning decontamination? Would those determinations be subject to judicial review?

--Would the NEPA process apply to determinations made by the Secretary of the Air Force under this subsection?

--How do the procedures with respect to decontamination specified in the bill differ from present requirements or policies for decontamination of the lands covered by the bill?

INSERT FOR THE RECORD

	HOUSE	APPROPRIATIONS COMMITTEE		HOUSE	ARMED SERVICES COMMITTEE	XX	HOUSE	OTHER
	SENATE			SENATE			SENATE	Post Hearing Question

HEARING DATE	TRANSCRIPT PAGE NO.	LINE NO.	INSERT NO.	Questions 1, 2,2a,2

QUESTION 1: Section 4(a) of the bill provides that the withdrawal of the lands covered by the bill will continue for at least 25 years. Why was that period selected? What has been the duration of past withdrawals of Nellis lands?

ANSWER: The period of 25 years was selected after consultation between the Department of the Interior and the Department of the Air Force. It is believed that a specific term, long enough to meet existing Air Force requirements, is appropriate and will allow for a reevaluation before the end of the period. The original executive orders and public land orders, covering the vast majority of the extisting range, were issued in the early 1940s for an indefinite period. However, Public Land Order 2613, February 16, 1962, changed the term of these actions to a total of 15 years commencing on February 16, 1962. Three public land orders issued between 1952 and 1972 are for an indefinite term. These three orders are included in the proposed legislation.

QUESTION 2: Section 2(a) of the bill provides that the "Secretary of the Air Force shall have exclusive jurisdiction over the management of the lands for military purposes and may authorize the use of the lands by the other military depatments and agencies of the Department of Defense, and the Department of Energy, as appropriate".

QUESTION 2a: How do you interpret the phrase "exclusive jurisdiction for military purposes"? Are the words "for military purposes" words of exclusion — that is, do they limit the extent to which your jurisdiction is to be exclusive?

ANSWER: The Secretary of the Air Force will have complete control over the management of the lands relating to military operations and requirements. The phrase "for military purposes" does limit the Air Force's exclusive jurisdiction over the land to military matters.

QUESTION 2b: Is the phrase "military purposes" intended to have the same meaning as the purposes specified in section 1(a), namely "armament and high hazard testing... training...for aerial gunnery, electronic warfare, tactical maneuvering and air support, and for other defense related uses consistent therewith" or is it intended to have a broader meaning?

ANSWER: The phrase "military purposes" includes the purposes as specified in section 1(a) and sufficiently covers the military uses of the withdrawn land.

INSERT FOR THE RECORD

☐	HOUSE SENATE	APPROPRIATIONS COMMITTEE	☐	HOUSE SENATE	ARMED SERVICES COMMITTEE	XX ☐	HOUSE SENATE

HEARING DATE	TRANSCRIPT PAGE NO.	LINE NO.	INSERT NO.	OTHER Post Hearing Qustions 2c, 2d & 3

QUESTION 2c. Does section 2(a) mean that all the federal jurisdiction over these lands is to be lodged in the Secretary of the Air Force? Is the point of section 2(a) to protect the Air Force from demands or claims by other military departments? Or is it also to give the Air Force protection against claims or requests by any and all other parts of the federal government?

ANSWER: The bill simply states that federal jurisdiction over the lands is with the Secretary of the Air Force in matters pertaining to the management of the lands for military purposes. The Secretary of the Interior has responsbility for nonmilitary use and management of the natural resources. All nonmilitary uses are to be secondary to the military use and are to be authorized only with the concurrence of the Secretary of the Air Force. Requests for use by military departments will be handled by the Air Force, while requests for use by civilian agencies will be addressed by the Department of the Interior.

QUESTION 2d: Would section 2(a) have any effect on the respective roles and powers of the federal and state governments within the areas covered by the bill? What law-enforcement or other jurisdiction does the State of Nevada have there now? Would that be changed by this bill?

ANSWER: Enactment of this legislation will have no effect on the respective roles and powers of the federal and state governments within the areas covered by this bill. The federal government has only a proprietorial interest in the land covered by the bill and therefore has not obtained any measure of the state of Nevada's authority over the land. This bill does not give the federal government any legislative jurisdiction.

QUESTION 3: Subsection 4(c) deals with the possibility that the Air Force someday might decide it no longer needed some or all of the lands covered by H.R. 4932. In general, it provides that the Air Force can decide to relinquish such lands, but before doing so the Air Force is to determine whether the lands proposed for relinquishment have to be and can be decontaminated by removing explosives or toxic or other hazardous material. Subsection 4(c)(i) says that if the Air Force finds that there is need for decontamination and that decontamination is practicable and economically feasible and that if decontaminated the lands could be opened to operation of the mining laws, then the Air Force "shall decontaminate the lands, unless Congress declines to appropriate funds for the project".

INSERT FOR THE RECORD

☐ HOUSE ☐ SENATE	APPROPRIATIONS COMMITTEE	☐ HOUSE ☐ SENATE	ARMED SERVICES COMMITTEE	☐ HOUSE xx SENATE	OTHER Post Hearing Questions		
HEARING DATE	TRANSCRIPT PAGE NO.	LINE NO.	INSERT NO.	3 & 4			

QUESTION 3a: The language "unless Congress declines to appropriate funds for the project" is somewhat unusual. Since presumably the Air Force cannot carry out any project if money is not appropriated, what is the point of including this language? Is the idea to require that there be a specific line-item for this purpose? Would this language prevent reprogramming of available funds?

ANSWER: The Air Force will seek a specific line-item appropriation to decontaminate lands that are to be relinquished since decontamination operations are extremely expensive. Furthermore, the Air Force believed it appropriate that the Congress decide the policy question of decontamination due to the extreme costs and the potential environmental effects. This language would not prevent the reprogramming of available funds unless the Congress had specifically denied to program funds for the decontamination.

QUESTION 3b. Subsection 4(c)(i) appears to deal only with lands that, if decontaminated, "could be opened to the operation of the public lands laws, including the mining laws". Does that mean that not all of the Nellis complex is covered by this language? Specifically, does the language apply to the Desert National Wildlife Refuge?

ANSWER: Subsection 4(c)(i) deals only with lands that have been contaminated and if decontaminated could be opened to the mining laws and public land laws. However, subsection 4(e) explains that public land proposed for relinquishment and accepted by the Secretary of the Interior will be opened to the mining laws and the public land laws. This subsection refers to all public land withdrawn by this bill; however, lands in the Desert National Wildlife Refuge are covered by the National Refuge Administration Act of 1966 which removes this land from public land laws and the mining laws. It is correct to assume that all of the Nellis complex is not covered and that the referenced language does not apply to the Desert National Wildlife Refuge.

QUESTION 4. Subsection (c)(ii) of section 4 addresses the possibility that decontamination might not be practicable or economically feasible on lands that the Air Force no longer needs. It says that "if the Secretaries of the Air Force and the Interior conclude either that decontamination...is not practicable

INSERT FOR THE RECORD

☐ HOUSE ☐ SENATE	APPROPRIATIONS COMMITTEE	☐ HOUSE ☐ SENATE	ARMED SERVICES COMMITTEE	XX HOUSE ☐ SENATE	OTHER Post Hearing Questions
HEARING DATE	TRANSCRIPT PAGE NO.	LINE NO.	INSERT NO.		4a, 4b, 4c, and 4d

or economically feasible, or that the lands cannot be decontaminated sufficiently" for reopening to the public lands laws, "or if Congress declines to appropriate funds for the decontamination", the Secretary of the Interior "shall not be required to accept the lands proposed for relinquishment".

QUESTION 4a: Must both Secretaries agree about the practicability or feasibility of decontamination for this subsection to be operative? If they should disagree, whose opinion would be controlling?

ANSWER: In accordance with subsection (c)(i) of section 4, the Secretary of the Air Force, in coordination with the Secretary of the Interior, determines the practicability and economic feasibility of decontaminating the withdrawn lands. If the two Secretaries disagree, the matter would be referred to the President for resolution in accordance with established dispute resolution mechanisms.

QUESTION 4b. What standards would govern the determinations of the two concerning decontamination? Would those determinations be subject to judicial review?

ANSWER: Department of Defense directives and the implementing Department of the Air Force regulations regarding decontamination of weapons training and testing areas as well as federal and state environmental protection regulations would govern the determinations of the two Secretaries. In the opinion of the Air Force General Counsel these determinations would not be subject to judicial review.

QUESTION 4c: Would the NEPA process apply to determinations made by the Secretary of the Air Force under this subsection?

ANSWER: In as much as NEPA mandates federal decisionmakers to assess the environmental effects of their decisions, the Secretary of the Air Force would certainly investigate and consider such concerns before arriving at a conclusion to return lands which could potentially be used by the public.

QUESTION 4d: How do the procedures with respect to decontamination specified in the bill differ from present requirements or policies for decontamination of the lands covered by the bill?

INSERT FOR THE RECORD

☐	HOUSE	APPROPRIATIONS COMMITTEE	☐	HOUSE	ARMED SERVICES COMMITTEE	XX	HOUSE	OTHER Post Hearing Questions
☐	SENATE		☐	SENATE		☐	SENATE	
HEARING DATE		TRANSCRIPT PAGE NO.		LINE NO.		INSERT NO.		4d (cont'd)

ANSWER: Presently, Air Force efforts only decontaminate the surface, while procedures with respect to decontamination specified in the bill would require decontaminating the surface as well as the subsurface. The Air Force's present efforts are accomplished only to keep the area decontaminated to allow for continued military use. In addition, the Air Force has been working with the Nevada Department of Conservation and Natural Resources to develop a comprehensive document addressing decontamination if any lands were proposed for return to the public domain.

DEPARTMENT OF THE AIR FORCE
WASHINGTON 20330

OFFICE OF THE ASSISTANT SECRETARY

September 14, 1984

Honorable John F. Seiberling
Chairman, Subcommittee on Public Lands and
National Parks
Committee on Interior and Insular Affairs
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This is in response to your request at the September 13, 1984, Mark-up of H.R. 4932 by the Subcommittee for the Air Force position on wilderness designation of that portion of the Desert National Wildlife Range (DNWR) that is within the withdrawal area for the Nellis Air Force Range.

As a general comment, the Air Force supports the concept of the National Wilderness System. In the case of Nellis Air Force Range, however, it is difficult to reconcile military use of these lands with the provisions of the Wilderness Act, 16 USC 1131 (C). It provides that a wilderness is to be ". . . an area untrammeled by man . . . with the imprint of man's work substantially unnoticeable . . . has outstanding opportunities for solitude . . . ." The Act further provides (16 USC 1133 (C)) that ". . . there shall be no temporary road, no use of motor vehicles, motorized equipment, or motor boats; no landing of aircraft, no other forms of mechanical transport, and no structure or installation within any such area."

Nellis Air Force Ranges 61, 62, 63, 64, and 65 lie within the DNWR. We believe that parts of 62-65 have been excluded from the wildernes proposal, but 61 is wholly in it. During the year ending June 30, 1984, the Air Force flew 33,546 air-to-ground sorties on these ranges. These sorties consisted of simulated nuclear, laser, tactical and conventional training events using live and inert bombs, rockets, bullets, and laser designators. By agreement with the Fish and Wildlife Service, roads, ground instrumentation sites, and targets have been constructed in many sections of DNWR and jet aircraft fly at low altitudes over most of it. The loss of air-to-ground and air-to-air training area, air combat maneuvering instrumention ground facilities, towed target training area, and other special use facilities would result in a severe impact on Air Force tactical training and readiness.

We believe it is obvious that lands affected by these activities are not "wilderness" in either a practical or a legal sense, and we question the desirability of so designating The provisions of Wilderness Act, applied to Nellis Air Force Range, could lead to curtailment of existing operations and could prevent changing military land uses to meet new and unforeseen national defense needs. Yet even termination of these activities would not make DNWR a "wilderness," for the imprint of military activities will remain for generations. Furthermore, without carefully drawn language authorizing military activities, it is reasonable to predict that use of military lands for many existing purposes would be enjoined by the courts as a violation of the Wilderness Act.

It must be emphasized that the military land uses involved are unique and that no alternate lands are available for this critical military training and testing. The impairment of these uses, which could result from the designation of wilderness, could seriously endanger a variety of essential operational testing and training activities.

The 1974 comments on the proposed DNWR EIS indicated that the Air Force could operate with such a designation provided that the posture of Air Force operations was not curtailed thereby. When questioned in 1984 hearings on this subject, the Air Force indicated that we stood by those comments.

Subsequent to that hearing, an updating review of Nellis Air Force Range operations by Tactical Air Command (TAC) revealed that much had occurred during the intervening ten years since the DNWR EIS publication regarding our reliance on operations in the DNWR proposed wilderness area. Given this new analysis, we feel that the better-reasoned view would be to state that the nature of Air Force operations currently should mitigate against such a Wilderness designation for the area. We, therefore, believe it would be misleading the public to designate this area, part of which is an active bombing range, as a "wilderness" area. Given this current operational status, the Air Force must oppose the proposal to designate a portion of the Nellis Air Force Range as a wilderness area.

The Air Force supports that portion of the proposed legislation dealing with decontamination requirements; however, we would be remiss if we did not point out the following information. Our previous experience in decontaminating such target areas has been that complete decontamination is extremely expensive. We have also determined it is virtually impossible to achieve a level of decontamination that allows us to certify the area is free of all munitions and safe for any future activity, such as mining. However, the Air Force will attempt to decontaminate any of the specified areas within the resouces and technology available at that time. As a practical matter, we believe the requirement for range decontamination should only be applicable if the Air Force intends to return the target areas within the DNWR to the public domain.

We appreciate your interest in this matter and hope the information provided is helpful.

Sincerely,

James F. Boatright

JAMES F. BOATRIGHT
Deputy Assistant Secretary of the Air Force
(Installations, Environment and Safety)

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NINETY-EIGHTH CONGRESS
MORRIS K. UDALL, ARIZ., CHAIRMAN

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

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STAFF DIRECTOR
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LEE McELVAIN
GENERAL COUNSEL

TIMOTHY W. GLIDDEN
REPUBLICAN COUNSEL

September 18, 1984

Mr. James F. Boatright
Deputy Assistant Secretary
Installations, Environment and Safety
U.S. Department of the Air Force
Washington, D.C. 20330

Dear Mr. Boatright:

Thank you for your letter of September 14, setting forth the Air Force's current position on wilderness designation of a portion of the Desert National Wildlife Range that is in the withdrawal area for the Nellis Air Force Range.

Although this constitutes a reversal of the stated support that the Air Force's representative gave at our hearing on August 6, we plan to revise the proposed legislation authorizing the withdrawal of certain additional lands for use by the Air Force, so that there will be no wilderness designation in the legislation. However, in discussions with members of the Nevada Congressional Delegation, it is the consensus that in the next Congress an effort will be made to resolve the wilderness issues in Nevada and consideration will be given at that time to designating portions of the Desert National Wildlife Range as wilderness.

Accordingly, it would be helpful all around, and particularly from the standpoint of the Air Force, if a more precise review were made as to exactly which portions of the Wildlife Range are impacted or likely to be impacted by Air Force operations. It is particularly important that this be done, because our information is that none of the impact areas are, in fact, within the boundaries of the wilderness proposal that our subcommittee was considering.

I would suggest that any such review be completed within the next six months, so that the subcommittee could proceed with its review of wilderness proposals in Nevada early in the next session of Congress. If you could advise us who would be conducting that review, I would be glad to assign a member of my subcommittee staff to work with them.

Thank you very much for your consideration.

Sincerely,

John F. Seiberling, Chairman
Subcommittee on Public Lands & National Parks

/wjs

Citizen Alert AN INDEPENDENT INFORMATION SOURCE FOR NEVADANS
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April 27, 1984

Rep. John Seiberling, Chairman
Public Lands and National Parks Subcommittee
House of Representatives
Washington, D.C. 20515

Dear Mr. Seiberling:

H.R. 4932 has been introduced "To withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes."

This is a routine renewal of the withdrawal of BLM land for continued use by the Air Force as the Nellis Bombing and Gunnery Range. No one in Nevada, that I know of, has any objections to the use of this area for training Air Force pilots and weapons.

However, included in H.R. 4932 are lands, some 89,000 acres, not previously included in the Nellis Range. This is an expansion of the Nellis Range but not identified as such in the resolution. This area is described on pages 16 and 17 and perhaps on additional pages, but we do not have maps to bound the area.

In early March, the Air Force took control of this 89,000 acres on the north end of the Groom Range and extending into Tickaboo Valley. Security posts were established and travel restricted by armed guards. This is an area of cattle grazing, mining operations, prospecting and hunting.

The purpose, as expressed by the Air Force, of this Nellis Range extension was to make more secure the activities in Area 51, where experimental aircraft, other weapons and military operations are tested. It is surprising the Air Force delayed tightening security to this late date. Bald Mountain, the highest peak in the Groom Range, 9380 feet, overlooks Groom Lake, a playa where the weapons testing takes place and has not been included in Air Force withdrawals.

No one questions the need to put Bald Mountain under military control. The problem if fourfold:

1. The withdrawal takes in low elevation land east and north of the Groom Range which may not be required for good security of Air Force operations.

2. The withdrawal affects ranching, water sources, a grazing allotment and hunting. This is upland game habitat and the area is under consideration as a bighorn sheep transplant site.

3. The Air Force in early March simply took control of the area, ignoring Section 204H of the Federal Land Policy and Management Act which requires a clear explanation to Congress of the land's uses and values and how the withdrawal would affect current usage and adjacent lands. There has been no issuance of a Public Land Order by the Secretary of Interior, no publication in the Federal Register and no public hearing.

4. There is no indication in H.R. 4932 to your committee or to Congress that this is a new withdrawal, an extension of the Nellis Air Force Range.

A significant percentage of Nevada land and airspace is now used by the Air Force and the Navy. We are contributing our share, and possibly more than our share, to national defense activities. We believe we are entitled to examine and express concerns and offer possible alternatives to further expansions. The action of the Air Force could set a president for further acquisitions which also disregarded the provisions of FLPMA and might be harmful to Nevada interests.

We strongly urge your committee to schedule a public hearing on this Groom extension in a convenient location for ranchers, hunters, prospectors and outdoor recreationists.

Sincerely,

Bill Vincent

Bill Vincent
Southern coordinator

cy - Rep. Barbara Vucanovich

Board of County Commissioners of
Lincoln County, Nevada

P.O. BOX 90 • PIOCHE, NEVADA 89043
TELEPHONE (702) 962-5390 – 962-5235

COUNTY COMMISSIONERS
GAIL ARMSTRONG
CLARK M. HARDY
TED OLSON

DISTRICT ATTORNEY
EILEEN BARNETT

COUNTY CLERK
ESTHER F. COLE

June 21, 1984

John Seiberling,
Chairman-Subcommittee on
Public Lands & National Parks
1225 LHOB
Washington, Dc. 20515

Dear Mr. Seiberling:

The Board of County Commissioners in Lincoln County Nevada would like to express our concerns regarding HR 4932

It is our understanding that, if passed, this bill would add approximately 90,000 acres to the Nellis Bombing and Gunnery range. Because this would impact Lincoln County and many of our citizens we would ask that you review our concerns and where appropriate, address those concerns in the bill.

These items are:

(1) Will the miners who hold claims in the area be truly guaranteed access to their claims? Past experience with the Air Force teaches us that although access to areas had been promised to ranchers, as time went on, the promise was quickly forgotten. We would not want to see that happen to those with mining claims in this area.

(2) Will the ranchers who now have grazing rights in this area lose those rights and if so will they be adequately compensated by the Air Force for their loss in production capibility.

(3) We assume that leasing this land to the Air Force will not affect the amount of payments in lieu of taxes coming to Lincoln County. Will this be the case?

(4) Will the Air Force talk to the people they are affe-ting? It may be that many of our apprehensions could be worked out if an appropriage representative from the Air Force would meet with the Lincoln County Commissioners and citizens (miners, ranchers, hunters, etc.,) concerned about this action.

Because of this lack of public input and dialogue, the Lincoln County Board of Commissioners would urge you to require the Air Force to hold on-site public hearings on this matter.

Thank you for your time.

Sincerely,

Clark M Rick Hardy

Clark M. "Rick" Hardy
Lincoln County Commissioner

CMH/pt

cc: Ted Olsen, Lincoln Co. Commissioner
Joe Filini
Steve Medlin
Harry Reid
Barbara Vucanovich
Chic Hecht
Paul Laxalt

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TIMOTHY W. GLIDDEN
REPUBLICAN COUNSEL

June 28, 1984

Commissioner Clark M. Hardy
Board of County Commissioners of
  Lincoln County, Nevada
P.O. Box 90
Pioche, NV 89043

Dear Commissioner Hardy:

Thank you for your letter of June 21, expressing the concerns of the Lincoln County Commissioners regarding H.R. 4932, a bill to withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Range, within Clark, Nye, and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes.

The Subcommittee on Public Lands and National Parks will hold a hearing on that bill on August 6, 1984, in Washington, D.C. At that time, the points made in your letter will be raised with the representatives of the Reagan Administration. Both the Department of the Interior and the Department of Defense will be asked to testify.

I hope this is helpful. If you want additional information about the plans for the hearing on this bill, please contact the Subcommittee staff at 812 HOB Annex #1, Washington, D.C. 20515 or (202)226-7730.

Sincerely,

JOHN F. SEIBERLING
Chairman, Subcommittee
on Public Lands and
National Parks

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Nevada Cattlemen's Association
419 Railroad Street - Elko, Nevada 89801
(702) 738-9214

June 11, 1984

John Siberling, Subcommittee on Public Lands
812 House Annex #1
Washington, D.C. 20515

Re: HR 4932, calling for the withdrawal of, and reservation for, the United States Air Force, public lands in Nye, Clark, and Lincoln Counties.

Dear Mr. Siberling:

We would like to call your attention to Bill HR 4932 as we believe it is misrepresentative of the actual acreage proposed to be withdrawn from public lands in Nevada.

The Engle Act, 43 USC 155-158 requires that all military withdrawals of public lands of more than 5,000 acres be accomplished through an Act of Congress. We do not feel this is being done, especially in light of the following: In July of 1979, the draft Environmental Impact Statement was filed with the Environmental Protection Agency and released to the public for review and comment. Then in 1981 the Air Force amended the application to include approximately 89,000 acres in addition to the lands originally proposed to be withdrawn from Nellis Air Force Base. These additional 89,000 acres are not among those spelled out in the Preamble to the Bill. Clearly, the Air Force stands to acquire these additional acres from Congress without our Representatives realizing what has happened.

Enclosed you will find our Resolution 29, 1983, which states the Nevada Cattlemen's Association's policy regarding land withdrawals, specifically recommending that no further land withdrawals be made in the State of Nevada without recognition and compensation for the full value of existing range and water rights.

As you may or may not know, Title 43, ss. 315 q. provides that whenever land is withdrawn for war or national defense purposes that those affected by the loss be paid for cancellation of permits or licenses. Many of our members hold grazing rights on these lands and have made substantial investments. Some also hold the water rights. They may also hold the mineral rights. Hence, whenever a bill of this nature is proposed, there should also be an appropriations bill to compensate the range right holders for their losses.

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AFFILIATE NATIONAL CATTLEMEN'S ASSOCIATION

June 7, 1984
Page 2

In summary we do not feel that the provisions of the Engle Act are being followed. Nor do we see the need for the further withdrawal of this particular 89,000 acres.

We will look forward to your response to our letter and your action on this bill.

Sincerely,

Wayne S. Marteney

Wayne S. Marteney
President

WSM:sh

Enclosure

NEVADA CATTLEMEN'S ASSOCIATION AND
NEVADA WOOL GROWERS ASSOCIATION
JOINT CONVENTION
CAESARS TAHOE
NOVEMBER 17, 1982

WHEREAS, the United States Navy is proposing land withdrawals from public land adjacent to the Fallon Naval Air Station, as an example, and

WHEREAS, land withdrawal from public lands have a severe impact on ranch values and income in the affected areas, and

WHEREAS, the failure of federal agencies to recognize range rights except when estate taxes are demanded on those range rights by the Internal Revenue Service, and,

WHEREAS, the State of Nevada has a substantial portion of its land area already withdrawn for military purposes, therefore,

BE IT RESOLVED: The Nevada Cattlemen's Association recommends that no further land withdrawals be made in the State of Nevada without recognition and compensation for the full value of existing range and water rights.

Directed to: Nevada Congressional Delegation ✓
Nevada Bureau of Land Management ✓
Governor Richard Bryan ✓

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REPUBLICAN COUNSEL

June 15, 1984

Mr. Wayne S. Marteney
President,
Nevada Cattlemen's Association
419 Railroad Street
Elko, NV 89801

Dear Mr. Marteney:

Thank you for your letter of June 11, concerning H.R. 4932, a bill to withdraw and reserve for the Department of the Air Force certain public lands within the Nellis Air Force Base, within Clark, Nye, and Lincoln Counties, Nevada, for use as a training and weapons testing area, and for other purposes.

While no hearing or other action has yet been scheduled by our Subcommittee with regard to this Administration proposal, we may be able to include such a hearing on our agenda later in the current Session of Congress.

I have instructed Subcommittee staff to notify you if and when such a hearing is scheduled, so that your Association will have an opportunity to present testimony or other information if it desires to do so.

You can be sure that we will not act on this bill without careful consideration. I appreciate receiving your comments and look forward to any additional information or comments the Nevada Cattlemen's Association may provide.

Sincerely,

JOHN F. SEIBERLING
Chairman, Subcommittee on
Public Lands and National Parks

National Wildlife Refuge Association

[redacted]
4216 Downing St.
Annandale, Va. 22003

Aug. 3, 1984

*re- H.R. 4932

Honorable John F. Seiberling
Chairman, Subcommittee
on Public Lands and
National Parks

Mr. Chairman, my name is Marcus C. Nelson, I am the Washington representative of the National Wildlife Refuge Association (NWRA), a non-profit organization with nation wide membership, whose objective is to help protect and perpetuate the values of the National Wildlife Refuge System.

The NWRA wishes to go on record as opposing the proposed legislation, H.R. 4932 to withdraw for the exclusive use of the Department of the Air Force (DAF), that portion of the Desert National Wildlife Range (DNWR) in Nevada, the use of which has here-to-fore been permitted the Nellis Air Force Range under a Memorandum of Understanding. The NWRA requests that these lands continue under primary withdrawal for the DNWR in the Department of Interior. The portion of the Nellis Air Force Range which overlays lands within the DNWR should be made available only for use by DAF pursuant to the authorities of the National Wildlife Refuge Administration Act (80 Stat. 929, as amended; 16 U.S.C.668 dd et seq) and to the extent currently granted in the March 11 1976 Memorandum of Understanding.

TheNWRA also strongly recommends that the"DesertNWR Wilderness Proposal" dated October 1971, be approved by congress and designated as the "Desert National Wildlife Range Wilderness". The wilderness to be administered by the Secretary of the Interior in accordance with applicable provisions of the Act.

It is further recommended that the statements in H.R. 4932 on page 2 line 6 quote "provided however, that except to the extent rendered necessary by national defense"-- and on line11 page 23, quote "except to the extent that other uses are required for purposes of national defense" be stricken from the proposed legislation.

the NWRA appreciates the opportunity to comment on this proposed legislation.

Marcus C Nelson
Marcus C. Nelson
Washington Representative
Nat'l WL Refuge Association

Dedicated to the preservation and perpetuation of the National Wildlife Refuge System.

JUL [illegible] 1984

NEVADA WILDLIFE FEDERATION, INC.
An Affiliate of the National Wildlife Federation
820 EAST SAHARA AVENUE / LAS VEGAS, NEVADA 89104

July 18, 1984

Honorable John Seiberling, Chairman
Public Land and National Park Subcom.
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Seiberling:

On Aubust sixth, your subcommittee is to consider a bill (4932) that proposes to withdraw to the Department of Defense an additional 89,000 acres of public land not currently withdrawn.

It has been three months since the Nevada Wildlife Federation met with Nellis A.F.B. personnel in the Range Operations Headquarters building at Nellis. To date nothing has come of that meeting. The subject of that meeting was D.O.D. mitigation for the 89,000 acres of Nevada that is "needed for security" for Area 51 on the Test Site and Bombing Range.

The Federation can understand the need for additional security, and would have supported the withdrawl, given half a chance. We do, however, have several concerns with the issue.

The first concern is the manner in which the Air Force has gone ahead and locked up our public lands, without Congressional approval to do so. This maneuver is highly illegal. It would be an interesting court case to challenge the guards on the access road. The public relations people at Nellis must rate a zero on this issue. The military in Nevada should behave as good neighbors. If one looks at a map of Nevada it is not difficult to see that our state has given far more than its fair share to national defense.

Our second concern is the impact to the wildlife of our state, and its citizens loss of the opportunity to utilize the land and wildlife for recreation. In light of the fact that our state is one of the fastest growing in the nation, if not the fastest, this land withdrawl puts an enormous strain on our limited number of outdoor recreation areas. The loss of an additional 89,000 acres can not be supported without some mitigation for this lost recreational land and its wildlife values.

The Groom Range, within the 89,000 acres to be withdrawn, is habitat for trophy mule deer, chukar, quail, and many species of nongame wildlife. There are three major springs and several seeps that support the wildlife and livestock that use the range. The area has been identified by the Nevada Department of Wildlife as an excellent release site for bighorn sheep.

If the Department of Defense needs this land for security, they should mitigate its withdrawl to the citizens of Nevada with grants and programs to offset the loss of these areas. Wildlife losses should be mitigated by wildlife gains, and recreation losses by recreation gains.

We believe the actual mitigations should be determined by the Governor of Nevada and the state's Director of the Department of Wildlife. If this were the case, the mitigations would be in the best interest of the citizens of Nevada, and their wildlife resources.

Our third concern is that the language of the bill could reverse the 1976 Memorandum of Understanding between the U.S. Fish and Wildlife Service and the U.S.A.F. In effect this would place the management of the Desert National Wildlife Refuge under the direct control of the Air Force rather than the U.S.F.&W.S. We would be hopeful that the bill would guarantee a workable relationship between the Department of Defense, the U.S. Fish and Wildlife Service, the Bureau of Land Management, and the Nevada Department of Wildlife for a sound management of the renewable natural resources found within this vast area in our state.

Sincerely yours,

John A. Leitch

John A. Leitch, DDS
President

cc: Governor Richard Bryan
Will Molini, Director, Nevada Dept. of Wildlife
Senator Paul Laxalt
Senator Chic Hecht
Congressman Barbara Vucanovich
Congressman Harry Reid
Bob Yoder, U.S. Fish and Wildlife
Kemp Conn, Bureau of Land Management
Marv Einerwold, Chairman, Nevada Wildlife Commission
Fred Wright, Legislative Affairs, Nevada Wildlife Federation
Dale Gaskill, National Wildlife Federation
Lynn Greenwalt, National Wildlife Federation
Carl Gaywell, National Wildlife Federation
Bob Davidson, National Wildlife Federation

The Humane Society of the United States
2100 L Street, N.W.
Washington, D.C. 20037
(202) 452-1100

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August 6, 1984

The Honorable John F. Seiberling
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Seiberling:

It recently came to the attention of the Humane Society of the United States that several bills now pending before Congress would expand Air Force jurisdiction over Desert, Cabeza Prieta, and possibly San Andres National Wildlife Refuges. The HSUS and its 250,000 members and constitutents nationwide are opposed to any changes in jurisdiction that would threaten wildlife protection on these refuges. We support your approach of careful consideration of the complex issues raised by the bills. Because the session is short in this election year, we feel that time allows adequate consideration of only one of the bills, and that consideration should be limited to H.R. 4962.

We are particularly concerned about H.R. 4962, the bill concerning Desert NWR. The provision of the bill, as currently drafted, that allows traditional refuge management to continue "except to the extent rendered necessary by national defense" is so broad that it effectively negates Fish and Wildlife Service management authority. It would replace wildlife protection purposes, which are currently primary in Desert's management, with a broad grant of discretion for military activities. The military would be able to use the refuge as it chose, regardless of its impact on wildlife and other natural resources. HSUS strongly supports continued wildlife protection on Desert. We believe the current management system permits adequate military access to the refuge, and that no further discretion needs to be granted to them. We resent the military usurpation of lands set aside for wildlife protection. We recommend that you schedule field hearings to thoroughly explore the issue. We also recommend that you call military witnesses, in closed session if necessary, to clarify the need for the proposed legislation.

Second, a section should be added to the bill to designate wilderness on and adjacent to Desert NWR. Wilderness studies on Desert were completed in 1971 and resulted in recommendations that lands in and adjacent to the refuge be added to the National Wilderness Preservation System. Public hearings held in 1974 demonstrated strong support for these proposals, support which remains strong today. On behalf of our membership, we urge Congress to act on these proposals as a further protection for Desert NWR.

We would like to have this letter entered into the hearings being held today on H.R. 4962. We will watch the progress of these bills with interest. Thank you for your consideration of our views.

Sincerely yours,

Jennifer Lewis

Jennifer Lewis
Staff Biologist
Wildlife and Environment

APPENDIX IV

THURSDAY, SEPTEMBER 27, 1984

ADDITIONAL MATERIAL SUBMITTED FOR THE HEARING RECORD

STATEMENT OF J. LAMAR BEASLEY, DEPUTY CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS AND NATIONAL PARKS, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, SEPTEMBER 27, 1984

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

It is a pleasure to join you today as you consider proposals that would designate portions of the National Forests in Georgia and Mississippi as components of the National Wilderness Preservation System.

H.R. 5965--The "Mississippi National Forest Wilderness Act of 1984"

This bill would designate two wilderness areas in the State of Mississippi --Black Creek and Leaf--totaling approximately 5,500 acres. We recommend H.R. 5965 be enacted. Currently, there are no areas designated as wilderness in the State of Mississippi. Black Creek and Leaf are generally recognized as having important opportunities for solitude and dispersed recreation. Water is a major feature in both areas. Both of these areas were recommended for wilderness during RARE II, and we continue to support their designation.

The proposed 4,500-acre Black Creek Wilderness is located in Perry County, Mississippi, within the DeSoto National Forest. It includes 5 miles of Black Creek in which the Forest Service is studying for possible designation under the National Wild and Scenic Rivers Act. The area also includes Beaverdam Creek which is a narrow, winding tree-covered stream.

The proposed 940-acre Leaf Wilderness is located in Greene County, Mississippi, within the DeSoto National Forest. It contains pine uplands, hardwood bottoms, creeks, sloughs, bluffs and one oxbow lake. The topography is quite flat with elevations ranging from 50 to 90 feet.

The bill contains the Senate/House compromise release language which we support.

RARE II Wilderness Proposals for the State of Georgia

The Roadless Area Review and Evaluation (RARE II) for the State of Georgia recommended five areas for wilderness designation: Southern Nantahala, Ellicott Rock Extension, Raven Cliff, Brass Town and Wolf Pen, totaling approximately 39,700 acres. We continue to support designation of these areas. All of the areas are characterized by the rugged steep, topography of the southern Appalachians. Included in the proposed areas are the highest peak in Georgia and the crest of the Blue Ridge Mountains.

Six areas were identified for further planning: Overflow, Blood Mountain, Chattahoochee River, Tray Mountain, Hemp Top and Rich Mountain, totaling approximately 93,100 acres.

An additional 15 areas, totaling approximately 85,000 acres, were identified for uses other than wilderness.

The further planning areas and other roadless areas are being studied for multiple uses, including wilderness, during the Forest planning that is currently underway.

Mr. Chairman, this concludes my prepared statement. I will be happy to respond to questions the Committee might have.